

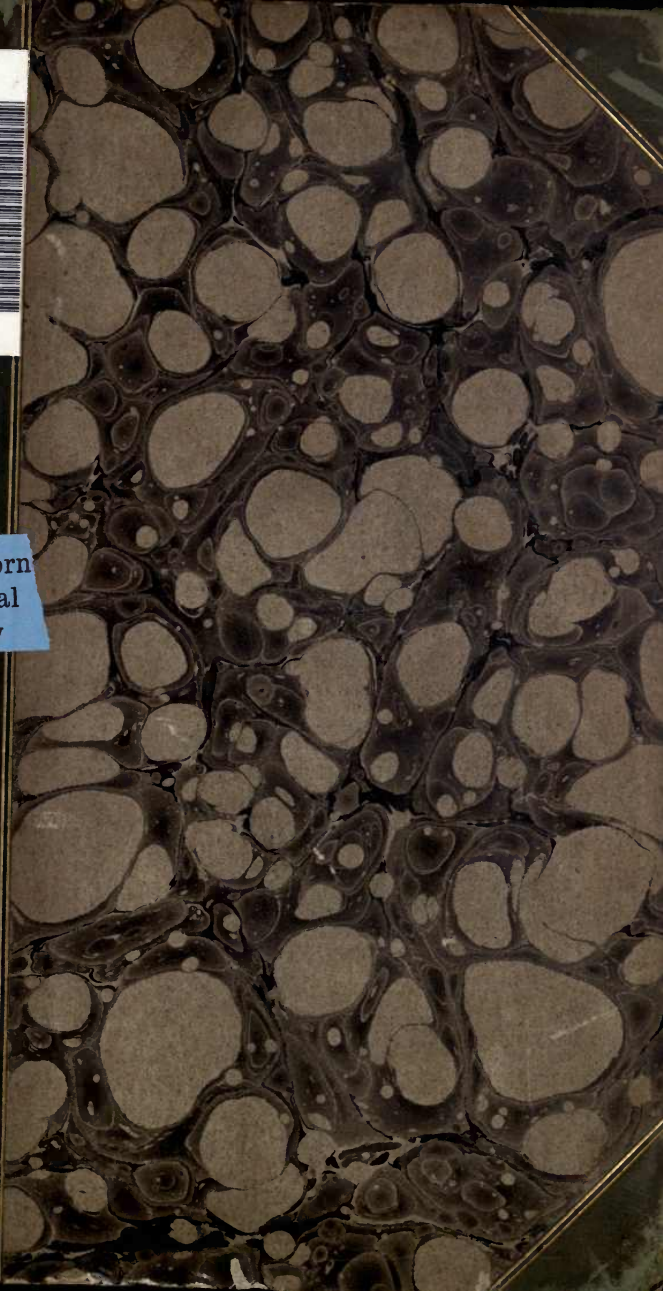
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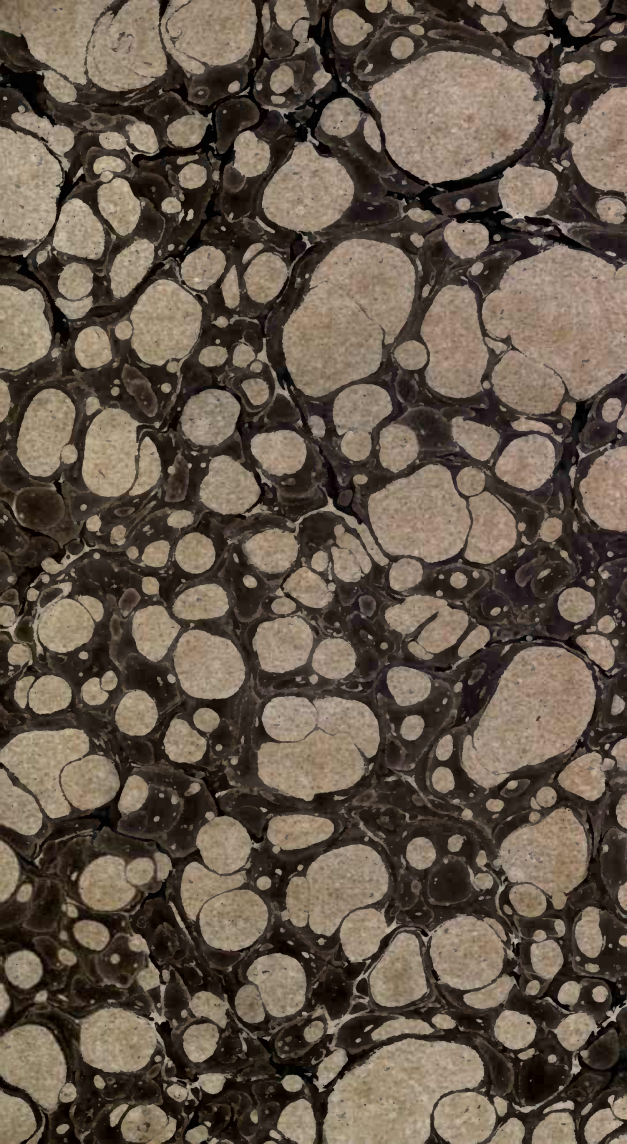
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THE
B E A U T I E S
OF THE
BRITISH SENATE:

TAKEN FROM THE
DEBATES OF THE LORDS AND COMMONS,
FROM THE
BEGINNING OF THE ADMINISTRATION
OF SIR ROBERT WALPOLE,
TO THE
END OF THE SECOND SESSION OF THE
ADMINISTRATION OF THE RIGHT HON.
WILLIAM PITT:

BEING
AN IMPARTIAL SELECTION OF, OR, FAITHFUL EXTRACTS
FROM, THE MOST EMINENT SPEECHES, DELIVERED IN THE
COURSE OF A MOST IMPORTANT AND TRULY INTERESTING
PERIOD, OF MORE THAN FIFTY YEARS; SEVERALLY AR-
RANGED UNDER THEIR RESPECTIVE HEADS, WITH THE
NAMES OF THE MEMBERS, TO WHOM THEY ARE ASCRIBED,
ANNEXED THERETO.

TO WHICH IS PREFIXED,
THE LIFE OF SIR ROBERT WALPOLE.

V O L. II.

L O N D O N:

PRINTED FOR JOHN STOCKDALE, OPPOSITE BURLING-
TON-HOUSE, PICCADILLY.

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1881

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B E A U T I E S

OF THE

BRITISH SENATE.

EAST-INDIA AFFAIRS.

IT is with great difficulty that I attempt to speak to this House; but I find myself so particularly called upon, that I must make the attempt, though I should expose myself in so doing. With what confidence can I venture to give my sentiments upon a motion to bring in a bill for the better regulation of the East-India Company's affairs, a subject of such national consequence, who myself stand charged with having been the cause of the present melancholy situation of the Company's affairs in Bengal? This House can have no reliance on my opinion, whilst such an impression remains unre-moved. The House will therefore give me leave to remove this impression, and to endeavour to restore myself to that favourable opinion, which, I flatter myself, they entertained of my conduct, before these charges were exhibited against me. Nor do I wish to lay my conduct before the Members of this House only; I speak likewise to my country in general, upon whom I put myself, not only without reluctance, but with alac-erity.

It is well known that I was called upon, in the year 1769, by a General Court, to undertake the management of the Company's affairs in Bengal, when they were in a very dangerous and critical situation. It is as well known, that my circumstances were independent and affluent. Happy in the sense of my past conduct and services, happy in my family, happy in my connections, happy in every thing but my health, which I lost in the Company's service, never to be repaired. This situation, this happiness, I relinquished at the call of the Company, to go to a far distant, unhealthy climate, to undertake the envious task of reformation. My enemies will suppose, that I was actuated by mercenary motives. But this House and my country at large will, I hope, think more liberally. They will conceive that I undertook this expedition from a principle of gratitude, from a point of honour, and from a desire of doing an essential service to the East-India Company—to that Company, under whose auspices I had acquired my fortune and my fame.

My prospects on going abroad were by no means pleasing, or encouraging; for after a violent contest, thirteen Directors only were chosen, who thought favourably of my endeavours to serve the Company; the other eleven, however well they might wish to the Company, were not willing that their good purposes should be accomplished by me. They first gave all possible obstruction to my acceptance of the Government, and afterwards declined investing me with those powers, without which I could not have acted effectually for the benefit of the Company. Upon my arrival in Bengal, I found the powers given were so loosely and so jesuitically worded, that they were immediately contested by the Council. I was determined, however, to put the most extensive construction upon them, because I was determined to do my duty to my country.

Three paths were before me: one was strewed with abundance of fair advantages. I might have put myself at the head

head of Government as I found it. I might have encouraged the resolution which the gentlemen had taken, not to execute the new covenants which prohibited the receipt of presents: and although I had executed the covenants myself, I might have contrived to return to England with an immense fortune, infamously added to the one before honourably obtained. Such an increase of wealth might have added to my weight in this country, but it would not have added to my peace of mind, because all men of honour and sentiment would have justly condemned me.

Finding my powers thus disputed, I might in despair have given up the commonwealth, and have left *Bengal* without an effort to save it. Such a conduct would have been deemed the effect of folly and cowardice.

The third path was intricate; dangers and difficulties were on every side; but I resolved to pursue it. In short, I was determined to do my duty to the public, although I should incur the odium of the whole settlement. The welfare of the Company required a vigorous exertion, and I took the resolution of cleansing the augean stable.

It was that conduct which has occasioned the public papers to teem with scurrility and abuse against me ever since my return to England. It was that conduct that occasioned those charges; but it was the conduct which enables me now, when the day of judgement is come, to look my judges in the face. It was that conduct which enables me now to lay my hand upon my heart, and most solemnly to declare to this House, to the gallery, and to the whole world at large, that I never, in a single instance, lost sight of what I thought the honour and true interest of my country and the Company; that I was never guilty of any acts of violence or oppression, unless the bringing offenders to justice can be deemed so; that as to extortion, such an idea never entered my mind; that I did not suffer those under me to commit any acts of violence, oppression, or extortion; that my influence was never employed

for the advantage of any man, contrary to the strictest principles of honour and justice; and that so far from reaping any benefit myself from the expedition, I returned to England many thousand pounds out of pocket.

Lord Clive, March 30, 1772.

INDOSTAN was always an absolute, despotic government. The inhabitants, especially of Bengal, in inferior stations, are servile, mean, submissive, and humble. In superior stations, they are luxurious, effeminate, tyrannical, treacherous, venal, cruel. The country of Bengal is called by way of distinction, the paradise of the earth: it not only abounds with the necessities of life to such a degree as to furnish a great part of India with its superfluity, but it abounds with very curious and valuable manufactures, sufficient not only for its own use, but for the use of the whole globe. The silver of the West and the gold of the East have for many years been pouring into that country, and goods only have been sent out in return. This has added to the extravagance and luxury of Bengal.

From time immemorial it has been the custom of that country, for an inferior never to come into the presence of a superior without a present. It begins at the Nabob, and ends at the lowest man that has an inferior. The Nabob has told me, that the small presents he received amounted to three hundred thousand pounds a year; and I can believe him, because I know that I might have received as much during my last government. The Company's servants have ever been accustomed to receive presents. Even before we took part in the country troubles, when our possessions were very confined and limited, the Governor and others used to receive presents; and I will take upon me to assert, that there has not been an officer commanding His Majesty's fleet, nor an officer commanding His Majesty's army, not a Governor, nor a Member of Council, nor any other person, civil or military, in such a station as to have connection with the country government, who has not

received presents. With regard to Bengal, there they flow in abundance indeed. Let the House figure to itself a country consisting of fifteen millions of inhabitants, a revenue of four millions sterling, and a trade in proportion. By progressive steps the Company have become sovereigns of that empire. Can it be supposed that their servants will refrain from advantages so obviously resulting from their situation? The Company's servants, however, have not been the authors of those acts of violence and oppression, of which it is the fashion to accuse them. Such crimes are committed by the natives of the country, acting as their agents, and for the most part without their knowledge. Those agents and the banyans never desist till, according to the ministerial phrase, they have dragged their masters into the kennel, and then the acts of violence begin.

Let us consider the nature of the education of a young man who goes to India. The advantages arising from the Company's service are now very generally known; and the great object of every man is, to get his son appointed a writer to Bengal, which is usually at the age of sixteen. His parents and relations represent to him how certain he is of making a fortune; that my Lord Such-a-one, and my Lord Such-a-one, acquired so much money in such a time; and Mr. Such-a-one, and Mr. Such-a-one, so much in such a time. Thus are their principles corrupted at their very setting out; and as they generally go a good many together, they inflame one another's expectations to such a degree in the course of the voyage, that they fix upon a period for their return before their arrival.

Let us now take a view of one of those writers arrived in Bengal, and not worth a groat. As soon as he lands, a banyan, worth, perhaps, one hundred thousand pounds, desires he may have the honour of serving this young gentleman at four shillings and six pence per month. The Company has provided chambers for him, but they are not good enough; the banyan finds better. The young man takes a walk about town; he

observes that other writers, arrived only a year before him, live in splendid apartments, or have houses of their own, ride upon fine prancing Arabian horses, and in palanqueens and chaises; then they keep seraglios, make entertainments, and treat with champagne and claret. When he returns, he tells the banyan what he has observed. The banyan assures him, that he may soon arrive at the same good fortune; he furnishes him with money; he is then at his mercy. The advantages of the banyan advance with the rank of the master, who, in acquiring one fortune, generally spends three. But this is not the worst of it: he is in a state of dependence under the banyan, who commits such acts of violence and oppression as his interest prompts him to, under the pretended sanction and authority of the Company's servants. Hence, Sir, arises the clamour against the *English* gentlemen in *India*. But let us look at them in a retired situation, when returned to England, when they are no longer Nabobs and Sovereigns of the East: see if there be any thing tyrannical in their disposition towards their inferiors: see if they are not good and humane masters: are they not charitable? Are they not benevolent? Are they not generous? Are they not hospitable? If they are, thus far, not contemptible members of society, and if in all their dealings between man and man their conduct is strictly honourable. If, in short, there has not been one character found amongst them sufficiently flagitious for Mr. Foote to exhibit on the theatre in the Haymarket, may we not conclude, that if they have erred, it has been because they were men, placed in situations subject to little or no control?

Lord Clive, March 30, 1772.

The honourable Baronet (Sir *James Lowther*) says, he will not keep me from my defence, and he calls my speaking to the question of commitment a speech in my defence. I allow him his assertion. I shall always consider myself as speaking in my defence, when I rise up to speak to a proposition so great and
so

so important as that which I have now presumed to offer to the wisdom of the House. Whenever I rise up in this House to present a broad and comprehensive scheme of policy to the nation—and that scheme is questioned, charged, and arraigned, I shall always consider what I say in its support as an argument in my own defence; because I shall always consider my own character, my situation, my rank in the country, as at stake on every measure of state which I shall presume to undertake. The honourable Baronet said truly, therefore, that I was now rising to speak in my defence: but give me leave at the same time to assert, that I have something better than my own defence in view, because the present East-India bill has something greater than my own advantage; it is a bill which I from my soul believe to be necessary to the deliverance of the empire, and it would be better supported in my mind by arguments in support of its own principle, than by any harsh assertions of personality, which, however they may gratify spleen, have nothing to do with the system submitted to your consideration.

I am really surprized, that notwithstanding the various objections that have been stated to this bill on a former day, I find myself this day attacked upon a ground which I had least expected. The violation of charters, the despotism and oppression of the bill, were topics which I apprehended would have been principally dwelt on this day: but I find that these grounds are nearly abandoned; and that now I am to be attacked on that side where I felt myself most strong: yet I will confess, that I am sorry I am so strong there, for my strength must be founded on the weakness of the Company. It was an old and a politic custom with Ministers, in talking in Parliament in the time of war, of the strength and resources of the different bodies of the community, to describe them as if they were in the most prosperous and flourishing condition; and, perhaps, I should myself conform to that custom, if the country was now involved in war. The situ-

ation of the country, however, is such as would not now allow the practice of those deceptions. We could only assist the nation, by knowing and declaring what the amount of its distress was. Had not this been the case; had not the most urgent necessity impelled, I never would have brought in such a bill as that under discussion. The bill was a child not of choice but of necessity. In like manner, the answer I was about to give to the Directors' state of the Company's affairs, was not a matter of option, but a matter which I could not avoid, in justice to the Company, in justice to myself, and in justice to the world. I assure the House at the same time, that though my defence must arise from that weakness, I wish most sincerely that I had no such ground of defence; the weakness of a Company so connected with the public, is not a theme which can afford any satisfaction: but as I would stake my reputation on the necessity of the measure I proposed, so it affords me, as far as my character is concerned, some satisfaction, that I can find in the Company's own accounts, substantial proofs of the necessity of a parliamentary interposition. But I confess, that while an honourable and learned gentleman, who sits opposite to me now, and who is likely to do so on all occasions, [Mr. Dundas, the late Lord Advocate of Scotland, who sat on the opposition side of the House, close by Mr. Pitt] and other honourable gentlemen in this House, could be appealed to as evidence of the alarming state of the affairs of the Company, I had not imagined that any long or elaborate proof, that they were not in a prosperous condition, would be necessary. Gentlemen will find that there was no occasion for them to lament, that the account which had been delivered in at the bar by the East-India Company's accountant, had not been read by the clerk, as I shall, in the course of my speech, be obliged to touch upon most of the points that it contains. In this account I find many things inserted which ought to have been omitted; and many things omitted which ought to have been inserted. Through these assertions, and these omissions, the
Company's

Company's affairs are made to appear in a much more favourable point of view than I believe they will be seen in, when I shall have stated the different exceptions that I have to their account: but I beg leave again to call to the recollection of the House, that I did not stand pledged to prove that these were actual errors in the account. It might be regularly calculated, and the sums very properly cast up. I do not venture to say that there are positive falsehoods in the statement; all that I said, and all that I pledged for, was, that I would state rational objections to articles in this account, to the amount of more than twelve millions. These objections may not convince the House—they convince me. I beg that gentlemen will go along with me in the statement, and put down the articles as I enumerate them; for in so complicated a matter, they cannot follow me with memory.

The first article in the account, held out as the property of the Company, is 4,200,000*l.* as the debt due to the Company from Government, at three per cent. interest. To this article I do not object: but I must make this observation; that this sum is to be considered as property held in the funds of the country, as not otherwise available to the individual than in respect of the annual interest, for there is no obligation of payment; they could not force the production of it; they could not make Government come to a settlement with them; but they stand exactly like the other creditors of the public, secure of the interest, but not armed with powers to come when they please at the principal. Another observation too occurs on this. They take and state this sum with evident error. Surely it is no otherways to be estimated, than as they can carry their stock to market. They are not to set it down in this statement of their property at the nominal amount, but at the marketable value of the commodity. The marketable value of the commodity is three-fifths of the nominal value, and at no more ought they to have stated this sum of property, because for no more is the principal available in their present circumstances.

circumstances. It is very true, that this money was to be repaid to the Company, if Government should ever put an end to the monopoly which the Company enjoyed of the trade to India. In that case, the full sum of 4,200,000*l.* must of course be paid; but as the money was lent, and that Government was never to repay the principal, if they chose, while they continued the monopoly, I must say, it was not so very fair to state the sum lent at the full value of 4,200,000*l.*; for if the monopoly should, in any case, be annihilated, without the will of Government, then the money could not be called for; and if the Company wished to sell their interest in that loan, which was sunk in the three per cents., they would of course lose about two fifths of the whole; and therefore the account should, in candour, have stated, that towards paying their debts, they had in the three-per-cent. stock a property that would sell for 2,520,000*l.*

The next article is of a very singular nature indeed, and gives the House a specimen of the principle on which this account is made up. A charge is made on Government of 260,687*l.* for the subsistence of prisoners in the war which concluded in 1763. To this article I did not mean to object, as a debt desperate, and to be altogether struck out; but in their present emergency, is it to be considered as an article of available property? This claim was made on France immediately on the conclusion of the war in 1763, and for fifteen years in succession, that is, until the commencement of the last war. The payment of the sum was constantly sought for, and as stedfastly denied. Now, though I for my own part would promise and pledge myself to the Company, that I would exert every effort of my mind and power to accomplish this payment, though there is a negociation at this instant going on at Paris for the payment of it, and though I would pledge myself also for the exertion and activity of the noble Duke now at Paris on the subject, still I ask if a sum which had

had been contended for in vain for so long a time, is to be assumed in such an account as available property?

The next article of 139,877l. for expences on the Manilla expedition, and of 21,447l. for hospital expences, bear the same completion. They are all sums which have been in contention for so long a time, that though they may be fairly due; they cannot be estimated as property at hand, in fund, or come-at-able; they have been disallowed by every succeeding Treasury, including even that of the Earl of Shelburne; I therefore beg to ask the House, whether these three sums, making 422,011l., ought to have been brought forward in the present statement as property applicable to the discharge of their debts?

The next article is under the head of cash, which is stated in money, in bonds paid in at the sales, and again to be issued, and in debentures and custom notes, to amount to 609,954l. Now to this I have an objection. The bonds are here stated as cash, and no notice is taken of a very material article which is the discount, on their being issued again. They bear a very considerable discount, and an allowance should have been made for this discount which they must suffer, on their being again issued. They cannot take any advantage of them but by issuing them anew, and they must be issued at a discount. Instead therefore of stating them on this side of the account as cash, and charging them on the other side as debts against themselves, they ought to have stated merely the amount of the discount as an item against themselves on the debtor side of the account.

The next sum is stated to be due for goods sold, but not delivered, 553,258l. To this I have no objection. The next article is the value of the goods in the warehouses, of which the freights and duties are paid, 2,500,000l. This I did not consider as proper to be taken in the way which they have taken it. It is to be inquired whether they can dispose of this property, and when—whether they can make it productive, and to the amount at which they have taken it—though I do

not

not believe that they can; yet I do not object to this article. At the same time it might have been proper for them to have stated the amount without the customs. They charge themselves with the customs on the other side indeed; but to have made the account regular, the sum should have been regularly stated here without the double entry.

The next is the merchandise exported to India, but not included in the property here, as not being yet arrived, 1,219,091l. When a man is making out a state of accounts, to prove that he has in hand a sufficient quantity of goods, which he could immediately, or in a reasonable time, convert into money, one might be a little surprised to find him enumerating articles which, in their nature, could not be converted into money; and yet the Company have acted precisely in this manner; for they state, that merchandise to the amount of 1,219,091l. has been exported to India, but not included in the accounts of property there, not being arrived when they were made up. Now in this account are included military stores, to the amount of about half that sum, which were not to be used for any mercantile purpose, but were to be, if they had not already been consumed by the army: to the sum therefore of at least 600,000l. in this article, I would certainly except: it forms no part of the means of the Company to pay their present debts, and therefore ought not to have been included in an account of Ways and Means. They could not bring them to any market, and they were not to be taken as available property. On this article, therefore, I take 600,000l.

The next sum is for silver remaining in the Treasury, 1,090l. The only notice which I mean to take of this article is, to declare my astonishment, or rather indeed not my astonishment, but to point it out as a fact, which proves my statement of their finances to be right. After enumerating their millions afloat, their millions in the warehouses, they come to the calculation of their specie, and it amounts to the sum of 1000l. This reminds me of an article in one of our
great

great bard's best plays, where speaking of one of his best characters, it is said—so much for sack; so much for sugar; so much for burnt hock; so much for this, and so much for that; but for the solid—the substantial—the staff of life—bread, one halfpenny: so it is with this flourishing Company: they have millions of goods, of bonds, of debts; but of silver they have one solitary thousand pounds.

The next article is for the advance of freight, to be deducted on the arrival of the ships, 172,334*l*. To this article I have very great and solid objections. It is a piece of complete and most unpardonable fallacy. They state, in their favour, the advanced freight which they have paid, but they have not taken against them, on the other side, the sum of freight and demurrage which they will have to pay. To shew the fallacy of this article, I would suppose that I had 1000*l*. to pay on my note next Monday, of which, however, I had already advanced 100*l*. In estimating his account I took to my favour the 100*l*. which I had paid, but took no notice, nor made any provision for the 900*l*. which I had to pay. The Company have advanced the freight on fifty-three ships; of these, fourteen have come home, and there are still thirty-nine ships behind; but of these, two have been burnt and blown up; so that there remains thirty-seven ships in India, and coming home, on which the remaining freight and demurrage is to be paid, and this is to be estimated at 50,000*l*. a ship. So that, instead of this sum which they have taken to their credit, they are to be charged in this account with 1,850,000*l*. for which they are bound, and which they must pay. This I call a very unpardonable fallacy. I desire to know what Parliament would think of any responsible minister, paymaster, or servant, who should act in this manner. Or is it possible, that any man appointed under the present bill, and accountable to this House, could present an account so miserably deficient as this is?

The next sum is a small charge for their shipping in England; it is only 12,300*l*.; and I might say, *de minimis non curat prætor*;

prætor; but still I must say a few words on the subject, as it shews to what shifts the Company thought themselves driven, when they would suffer such an article to be brought into an account; it could be merely for the purpose of swelling, at all events, the total: this sum is estimated to be the value of ships and vessels employed by the Company in England. The meaning of this is, that the sale of these vessels would produce that sum: but as such a sale could be thought of only in case the Company were going to sell off all their stock and give up business, I would object to the article; because as nothing could be farther from my intention than to dissolve the Company, so no such sale can take place while they exist. The article of 253,616*l.* is exceptionable on the same ground: the Company's houses and buildings in London are estimated at that sum; but as they are not to be sold, I would object to the carrying of that sum to the account of ways and means of the Company. If brought forward, it is to be brought forward on the presumption of their bankruptcy; a presumption which I never made, and which could not be taken.

To the article of 703,824*l.* taken as the prime cost of four cargoes on their passage from Bengal, I object in part. It ought to have been stated, what was very well known, that the Company suffered a considerable loss by Bengal goods, and this loss ought to have been deducted from the prime cost of the four cargoes.

The Company estimate the four cargoes on their passage from Bengal, at prime cost, to be — — 703,824

To this are to be added the duties — — 170,000

freight — — 200,000

Which make £. 1,073,824

From which the sum of 960,000*l.* being deducted, as the whole of the value which those articles would here bring, the Company of course must be losers of 113,824*l.* To the sum of

364,515*l.*

364,515l., stated as the value of cargoes dispatched from Bengal to other presidencies, I intend also to object; because as those cargoes consist of military stores, they are not property that can be converted into money; and consequently ought not to be stated as ways and means to pay debts that press upon the Company immediately. It is in the nature of the article, to a moiety of which I have already excepted, of military stores sent to India; and I beg leave to remark, that whenever this sort of charge occurs I shall object to it.

I now come to the article entitled Quick Stock at Bengal, under various denominations—In treasure and bills 777,361l., that I allow. The goods for Europe dispatched—the goods imported and unfold—and the salt—but the articles of stores unexpended I object to, on the argument already stated, and I take for this 680,509l. The sum advanced to the Board of Trade is stated to be 837,465l., and this is erroneous. The sum for investments is only 635,000l., and this sum ought to be less by 160,000l. I state the particulars of this error also. It is not a little singular to find by what means the Company swell up their account of debts due to them, in order to shew what means they are possessed of to pay their debts. In this place they value the current rupee at 2s. 3d., when every man knows, that to rate it at 2s. 1d. is setting rather a high value on it, the general exchange being at 2s.

The next article I would wish to press to the consideration of the House, is the debt due by the Nabob, Asoph ul Dowla, 789,828l. The debt is in the nature of many others which are due to us in India, and which has been made the foundation of our various wars. A claim is made on the Nabobs, or the Rajahs, for the debt which they owe. Their answer is, that they are unable; but that their subjects in a certain district are not only in arrears, but refractory, and therefore if the Company would assist them to reduce their subjects to obedience and payment, they would pay their debts. On this pretext we entered on the war, and what particular species of war

war we commenced might be drawn from the records of the Company—a war of horror and devastation—we scoured deserted countries—we ravaged and burnt the villages—we destroyed or we captured the women and the infants—in this manner the Rohillas one year, the Marawar country the next, then the Polygars were laid waste and desolated, and those innocent and unprotected natives destroyed; the men were murdered, the women imprisoned and disgraced, their children left a prey to want, and every religious and civil right violated. To prove this, I desire the clerk may read a letter from Lieutenant-Colonel Bonjour, a Swiss officer in the Company's service, which describes the manner in which he found a country in India, in 1773, when sent into it to force people to pay money: the villages were deserted by the men, who left none in them but women and children; the men fell upon the English convoys, and cut them off, and put many of the soldiers to death. It is necessary therefore that either the design must be given up, or reprisals must be made on women and children, which would shock humanity. How shall I paint in colours sufficiently warm the scene of horror which the service exhibited, and deprecate such inglorious and contemptible wars? “Thank God! they have always failed. They have constantly been as unproductive of revenue as they were productive of infamy. In every instance we have failed in our object, but in no instance have we avoided the curses, the abhorrence, the contempt of mankind.” I must read also a letter from the Soubah of Oud, of which the following is a copy:

“When the knife had penetrated to the bone, and I was surrounded with such heavy distresses that I could no longer live in expectations, I wrote you an account of my difficulties.

“The answer which I have received to it is such, that it has given me inexpressible grief and affliction. I never had the least idea or expectation from you and the Council, that you would ever have given your orders in so afflicting a manner, in
which

which you never before wrote, and which I could not have imagined. As I am resolved to obey your orders, and directions of the Council, without any delay, as long as I live, I have, agreeably to those orders, delivered up all my private papers to him (the resident) that when he shall have examined my receipts and expences, he may take whatever remains. As I know it to be my duty to satisfy you, the Company, and Council, I have not failed to obey in any instance, but requested of him that it might be done so as not to distress me in my necessary expences; there being no other funds but those for the expences of my mutesdies, household expences, and servants, &c. He demanded these in such a manner, that, being remediless, I was obliged to comply with what he required. He has accordingly stopped the pensions of my old servants for thirty years, whether sepoy, mutesdies, or household servants, and the expences of my family and kitchen, together with the jaghires of my grandmother, mother, and aunts, and of my brothers and dependents, which were for their support. I had raised 1300 horse, and three battalions of sepoy, to attend upon me; but, as I have no resource to support them, I have been obliged to remove the people stationed in the mahals (districts,) and to send his people (the resident's people) into the mahals; so that I have not now one single servant about me: should I mention to what farther difficulties I have been reduced, it would lay me open to contempt."

I will make no comments on this letter, I will leave it to the feelings of the House. All these debts from this Nabob, and from all the Nabobs and Rajahs, I wish at once to strike off; and I believe that the feelings and the magnanimity of the country would go with me in saying, that they would rather be doomed to pay all that the Company owe, ill as they can at this time bear it; ill as their sinking fund can sustain the shock, they will apply to that, rather than wring it from the princes of the country, by aiding them in wars on their innocent people.

The next article is debts by the Company in Bengal, on bond and otherwise, 1,367,116*l*. Upon this I only observe, that from the word otherwise, it might be imagined that there were considerable debts not on bond—whereas the whole amount is on bond, except 100,000*l*. With this observation, to mark the stile of the account, I allow the same. But there is a very curious and singular matter occurs here. It states, that the arrears due to the army do not appear; but by a subsequent minute it does appear, that the arrears up to March 1783, amount to 502,174*l*. This they state to come by the last dispatches. Would it not be imagined that at least they would bring this 500,000*l*. to account? Not one figure of it. I ask the House what they would think of Government, if having accounts from abroad of arrears due to the army, they failed to bring half a million forward—Would they not impeach the defaulter? I wish therefore to rescue the affairs of the East from a Company capable of such a crime, for a crime I declare it is.

Before I leave the article of the quick stock of Bengal, I must observe, there is an omission entirely of 130,000*l*. due by the Company to the Military Fund established by Lord Clive, and the Nabob Asoph ul Dowla, and a considerable part of which sum must be paid to the heirs of Lord Clive.

The quick stock at Madras comes next; and here again I object to the article of stores, military and naval, unexpended, which is 264,110*l*.; and on the same account that I object to the sum due from Asoph ul Dowla, I object to the charge of 968,012*l*. stated to be due by the Nabob of Arcot—to 158,250*l*. due from the Rajah of Tranjore—and to 993,804*l*. due from the renters of sundry districts.

I said, the Nabob could not attempt to pay his debt, without attempting to take it from the Rajah, nor the Rajah, without taking it from some neighbouring power, and all this with the assistance of the Company's troops, and at the expence of the Company's treasure. As to the renters of sundry districts

districts of land; how can money be recovered from those who have none to give? Have not these people been driven from their possessions, and made the victims of cruel and unjust wars? And how can it be expected that they should be able to answer this enormous demand? At the end of the account of these debts, there is a curious observation, contained in a *nota bene*, to the following effect:—"The war in the Carnatic will delay the payment of these debts, and must have rendered many others of them precarious, so that the exact value of them cannot be ascertained." After this beginning, will not the House imagine that the account is going to say, that some particular part of the sum, such as a 5th, an 8th, or a 10th of these sums, might be recovered? but the account, instead of saying any such thing, goes on, and says, "but the above sums are undoubtedly due to the Company." These debts, put together, will amount to 2,822,310l.; and to this sum I am resolved to object, as unfit to be inserted in an account of means to answer the Company's pressing demands. No doubt they are due; and if the Company are to go on for five years more, five times the sum might, and probably would, from the experience of past times, be as fairly due; and from thence it would be in the power of those who have the hardiness to impose upon the public by such an account, to shew the Company in a better situation every year, as their debts increase, and soon have it in their power to prove the flourishing state of the Company, by stating the debts of the Nabob at twice 900,000l., and those of Asoph ul Dowla at double the present sum. But it is your business to interfere to prevent that species of prosperity from gaining farther than it has hitherto gone, and to stem those torrents of blood which must flow, if the attempt is made to procure them; an attempt which must end in wasting more money (setting considerations of humanity aside) than the amount of them would repay. To estimate the property of the Company in this way is most fallacious. In proportion as they oppress—as

they rack—as they are guilty of weakness in the first instance, and of violence in the second, their debts will increase; and even when they are more deeply involved, they may by such accounts shew themselves to be on paper more flourishing. But such debts are not available property, and cannot be estimated.

“ Debts due by the Company in Madras, 31st Aug. 1782, including arrears to the military, 821,164l.”

This article has increased since, and the right honourable gentleman opposite [Mr. Pitt] knows it; it was a secret disclosed to the Treasury, when he was Chancellor of the Exchequer, and, I doubt not, he will not deny it.

By these disallowances I reduce the balance of quick stock at Madras 2,078,078l. to little more than 500,000l.

“ Of the quick stock at Bencoolen, consisting of the difference between cash and effects, and the debts owing by the Company, amounting on the 10th of March, 1783, to a balance in favour of the Company of 189,036l.”

I allow only the odd 89,000l., the other 100,000l. being exhausted in the expence of the establishment, and therefore on the footing of warehouses. Not convertible, unless they give up trade—consequently not applicable to present relief.

The quick stock at St. Helena, 27,618l. allowed on the same principle.

The quick stock in China, 132,596l. I allow, because consisting of goods, and there we have no territories nor establishment to maintain.

“ Quick stock at Bombay, 15th Sept. 1782, valuing the rupee at 2s. 6d. Cash and bills 24,663l.” I allow.

“ Goods provided for Europe, 95,145l.” Of this I disallow 32,000l. put on board two ships that sailed after the date here taken, and which is included in the prior statement of goods in warehouses; and I also take the freight and demurrage, to be paid on their arrival in England, 148,003l. for military and naval stores, disallowed for reasons formerly given.

The debts due to the Company of 891,069l. I doubt of as much as of the unsecured part of Ragobah's debt, for the reasons already stated. By these deductions, the debt due by the Company at Bombay amounts to 2,000,000l. instead of 1,790,000l.

There is an additional arrear to be taken as due to the army in India, beyond what the account states of 140,000l. They also owe to the Nizam, 30 lacks of rupees, which is 300,000l. totally omitted. Besides these sums, which amount in the whole to 9,400,000l., there is to be added the sum due to the Proprietors of 3,200,000l., which make the sum in the whole more than 12,000,000l., which I pledge myself to exhibit in objection to their account.

There are other inaccuracies in their statement, which make considerable difference in its truth, but into which I have not particularly entered. It was alledged that the sum of 400,000l. lately paid by the Company to Government, was as a price for the renewal of their charter. It was no such thing: they paid it as a debt due to the country, and so it was considered.

The peace with the Mahrattas has been held out by the friends and agents of that great man, Mr. Hastings, a man, who, by disobeying the orders of his employers, has made himself so great, as to be now able to mix in every question of state, and make every measure of Government a personal point in which he has a share. The peace with the Mahrattas was held out so favourable to this country, that every good was to be derived from it. What said the last advices to that? Read the last Gazette. In the very moment that an honourable gentleman, whose zeal and ardour carries him generally too far, was loud in declaring that all was peace in India, and congratulating the Proprietors on the prosperous situation of their affairs, came home the dispatches contained in the last Gazette. Let the House learn from that Gazette, the pressing occasion for an immediate reform of the Government of India. Let

them see the cause of the disasters recorded in those direful dispatches—a quarrel among the officers on the common theme of India—the division of the spoils, the disposal of the plunder, taken from the natives! They will learn from the Gazette, that our army has lost all subordination, as they have learnt from other publications, that our civil government in India has lost all energy. And in addition to this information, I will read a letter from Mr. Anderson, stating, that the *Peshwa* and *Madajee Scindia* proposed that they should enter into an alliance with the Company to strip *Tippoo Saib* of his territories, and make a partition of them between the three. This proposition appears to be acceptable to Mr. Hastings; and it is therefore reasonable to suppose, or to fear, that a new war is actually raging at this time in India.

Does the House know of the disputes in our presidencies, as well as in the army? That Lord Macartney, that great and exalted man, the only man who paid obedience to his constituents, is at this time, perhaps removed, confined perhaps, and doomed to suffer the fate of Lord Pigot? Will they not remember, that, by the peace with France, we have engaged not to make war with their allies in India? and that if this new engagement is entered into with the Mahrattas, it will be to all purposes a new war, and consequently that we may involve ourselves again against France, and revive war in every part of Europe? These are important considerations.

It is said that this bill is an invasion of the chartered rights. Undoubtedly it is;—but will gentlemen say, that such infringements are not warrantable? Have they not been frequently infringed before? when the votes of the 500l. Stock-Proprietors were cut off—and in various other instances. Is this to be called an infringement of their charters, so enormous and violent, when they have broken the conditions of the charter and agreement? Do the House know, if this bill should be thrown out, which, by the by, I do not believe it will, that the Treasury can in a fortnight afterwards enter the premises

premises of the East-India Company with an extent, and take legal possession of all that they are worth in the world?

But necessity is said to be the plea of tyranny; it was also the plea of freedom. The resolution, which established the rights and liberties of these kingdoms, was undertaken and accomplished—nay was justified at the time, on the plea of necessity; a necessity that superseded all law, and was the glorious means of giving liberty to England. On the present occasion, has it not been agreed on all hands that some measure of regulation and reform was necessary with respect to India. Nay, has not a right honourable gentleman opposite to me [Mr. Pitt] and his friends been loud in calling out for a system, complete and well digested? Have they not said, no palliatives, no half measures! Let the learned gentlemen opposite [Mr. Dundas] say how any effectual reform in the conduct of the India Company's affairs could be made without touching their charter. Does the present bill offer more violence to it than the bill proposed last year! In what lies the difference? That bill aimed at lodging an absolute and despotic power of governing in India. This provides a controllable government; but it is a powerful government, and it is at home. To give power is generally considered as a dangerous delegation; but it becomes the more dangerous in proportion as it is lodged at a distance. A virtuous and a wise man may lose his principles and his understanding in India. Disease and luxury may co-operate to enervate; the sight of wealth within reach may win to rapacity, and the once-pure mind, weakened by climate and example, may be betrayed to corruption and plunder. The temptation is not so great in England. The Commissioners are to act at hand, and to be under the immediate eye of Parliament. Where, then, is the danger so loudly trumpeted forth to the world, and so industriously made the subject of popular clamour? But besides the objection to the Commissioners being named by Parliament, the great one is, the influence it is to give to the Crown. This I

deny. No immediate influence is to be given, but the nomination of the seven Commissioners; the patronage of the East Indies has been in the hands of the Crown before; what great officer has been appointed, but by the advice and influence of Ministers? And ought they to have been otherwise? The only difference is, that before, the Court of Directors was a screen; and now they will themselves be responsible. I do not wish the Commissioners to be out of Parliament. I wish them to be like myself and my colleagues, constantly under the eye and attack of the House. Why order the new officers to give their reasons for what they have done? This regulation is questioned as being idle. It is not so—it is the character of despotic Governments to be dark—of popular Governments to have publicity—and I aver that it is their beauty and basis—Our judicial tribunals are bound to give their reasons. I certainly object to the plan of Mr. Dundas, because I cannot agree to give to a man, at the distance of half the globe, uncontrolled power—even here it is dangerous; but not so much so, because it will be watched. The valuable jealousies of the country will be awake, and Parliament will be ready to crush its irregular acts. Some measure is admitted on all hands to be necessary; if the present is disapproved, those who disapprove of it are bound to propose a better. Perhaps it will be argued, that the distress of the Company is solely owing to the burdens and pressure of an expensive war, and that what has arisen from a specific misfortune ought not to be attributed to general misrule and mismanagement. In proof that this is not true, I will read a letter from a person in a high and responsible situation in India, in 1772,—It is an extract, which, in the language of conviction, attributes all the disasters in India to a want of vigour in the principle of the system of its government, adopted and pursued by the Directors at home. The writer of the letter is not a favourite authority with me in all cases; but his position carries wisdom in it, and his argument is founded on sound policy. The other side of the
House,

House, at least, I hope, will agree in this, when I inform them, that the writer of the letter is no other than Mr. Hastings himself. That the bill ought to pass, if it passed at all, with the utmost dispatch, a variety of reasons concur to testify. The seeds of war are already sown in India; and a note left by Sir Eyre Coote, a man whose memory deserves every possible praise on account of his gallant actions, afford alarming proof of it. The deceased leader of the troops in India wrote to the Governor of Madras, that the expence and the burdens incurred by the Company, in consequence of the late war, can only be recovered by a fresh war on Tippoo Saib. Let the House pause upon this; let them reflect on the last Gazette, the dispatches of which reached the India House, and filled the General Court with disappointment and dismay, in the very moment that an honourable gentleman, whose zealous ardour carries him generally too far, was loud in declaring that all was peace in India, and congratulating the Proprietors on the prosperous situation of their affairs. Let the House also learn from that Gazette, the pressing occasion for an immediate reform of the government of India. Let them see the cause of the disasters recorded in those direful dispatches—a quarrel among the officers on the common theme of quarrels in India, the division of the spoil, the disposal of the plunder taken from the natives! There are also additional causes to expect a war there, and to dread its communicating to the other quarters of the globe, if proper means to prevent it are not instantly resorted to. Every man must feel too for the alarming state of the civil government in India, in consequence of the dissensions between the different presidencies. I feel for Lord Macartney, for whom I have ever entertained the sincerest respect. That noble Lord has proved himself the most obedient to direction from home, the purest in principle, and the most zealous in conduct, for the national honour, of any Governor ever sent to India; but who can say that Lord Macartney has not been suspended? Nay, who can say that he is not at this instant
a prisoner,

a prisoner, or that he has not shared the fate of Lord Pigot? I consider suffering the Company to borrow more money, as, in fact, lending them the security of Government for what they borrow, and that before I proceed that length, I hold myself bound to take every possible means to make the safety of the public, and the prosperity of the Company, go hand in hand together. I know that in doing so I put my own situation, as a Minister, to the hazard; but where upon a great national ground I can establish a measure at once salutary and useful, likely to rescue the natives of India from oppression, and save the country from disgrace, I little care how great the personal risques are that I am to encounter. The India regulating bill, which, however deficient in point of policy it may be found, will not, I believe, be thought to be wanting in regard to numerous clauses, or shew that Ministers have not very fully applied themselves to the present situation of India. This bill, in almost every one of its clauses, restrains and lessens the exercise of the power of those who are to act under the authority of the bill now before the House. The two bills ought therefore to be considered as it were together, the regulations of the one tending to correct and temperate the other. To conclude, if I should fall in this, I shall fall in a great and glorious cause, struggling not only for the Company, but for the British and India people; for many, many millions of souls! The separation of the sovereignty from the commerce, is a point which I think essential, and it is partly provided for in the bill; but in that and many other provisions, I should be happy to be assisted by the wisdom of the House in a Committee, to which I therefore hope they will go with me.

Mr. Fox, November 27, 1783.

THE noble and learned Lord has not yet given any solution to my difficulties. I ask the noble and learned Lord, [Lord Loughborough] if he can reconcile the principle of the present bill to the principles of the British constitution, admitting even

even, what we have as yet not the smallest cause to admit, that the necessity of an immediate interference by Parliament is apparent. The noble and learned Lord fills so high an office in two of His Majesty's Courts, that I should naturally expect to see him the champion of our glorious constitution. It is not fitting that so great a character should muddle in the dirty pool of politics. The present East India bill means evidently to create a power which is unknown to the constitution, an *imperium in imperio*; but as I abhor tyranny in all its shapes, I shall oppose most strenuously this strange attempt to destroy the true balance of our constitution. The present bill does not tend to increase the influence of the Crown; but it tends to set up a power in the kingdom, which may be used in opposition to the Crown, and to the destruction of the liberties of the people. I wish to see the Crown great and respectable; but if the present bill should pass, it will be no longer worthy of a man of honour to wear. The King will, in fact, take the diadem from his own head, and place it on the head of Mr. Fox. Your Lordships have heard much of the Ninth Report of the Select Committee. That extraordinary performance has been in every body's hands. The ingenious author states, that "The East-India Company is in possession of a vast empire, with such a boundless patronage, civil, military, marine, commercial, and financial; in every department of which such fortunes have been made as could be made no where else." This, my Lords, is the true description of that vast and boundless patronage, which this bill means to throw into the hands of the Minister of the present day. I speak the language of the late Marquis of Rockingham, for whom I had the highest respect and regard, and to whom I have been much obliged, when I say, that every Minister of this country will naturally strengthen his party by increasing his friends, and disposing of every office of honour or of emolument amongst those who will support his measures: with this explanation of the system on which the present Ministers act, and, indeed, in which all ministers must act,

act, let me conjure your Lordships to weigh well the consequences which will result to the constitution of this country, should the present bill pass into a law. By the fundamental principles of this constitution, the executive power of the state is placed in the hands of the Crown. We have heard much, my Lords, of late years, of the alarming increase of the influence of the Crown; I will candidly confess to your Lordships, that I have never seen the influence of the Crown too great. I wish to see the Crown great and respectable; and if the boundless patronage of the East must be taken from the Company; if regulations wisely adopted, and steadily enforced, will not be sufficient to remedy existing evils, let the boundless patronage of the East be placed, where only with safety to the constitution of this country it can be placed, in the hands of the executive Government. In the last year, we passed an act to prevent contractors from sitting in Parliament; but by the present bill, Mr. Fox's contractors do not even vacate their seats. Such is the distinction between the Crown and a subject.

In the last year we passed an act to prevent custom-house officers from voting for members of Parliament, so cautious were we to preserve the purity of the House of Commons, and to diminish the influence of the Crown: but in defiance of every principle which was then professed, no jealousy is expressed of the man who is to have in his possession the boundless patronage of the East. The doctrine advanced by the noble and learned Lord is indeed extraordinary. He tells you, that the act of 1773 was an infringement of the charter of the East-India Company, but that his objection was, that it did not go far enough, and therefore he would totally destroy the charter. The noble and learned Lord will recollect the doctrine of the King's Attorney General, Sir Robert Sawyer, in the unconstitutional and infamous reign of Charles the Second, as detailed to us in that ministerial Gazette, that receptacle of all true intelligence, Mr. Woodfall's paper. Yet, my Lords, how was the doctrine of Sir Robert Sawyer reprobated by the

Chief

Chief Justice of that day? The charter of the city of London was taken away, not because, according to Sir Robert Sawyer's opinion, it was for their good, but because the Court was induced to declare it had been forfeited. At the Revolution, however, it was restored, and the strongest marks of abhorrence were expressed at so atrocious a deed, perpetrated under the semblance of justice. But before the House can consider this very important bill on that ground, (to which every Englishman must naturally object to it, that it is directly subversive of our venerable constitution, and on that ground I challenge the noble and learned Lord to meet my argument fully and fairly,) it will be necessary to consider the real state of the East-India Company. Let us not be misled by Reports from Committees of another House, to which, I again repeat, I pay as much attention as I would do to the history of Robinson Crusoe. Let the conduct of the East-India Company be fairly and fully inquired into; let it be acquitted or condemned by evidence brought to the bar of the House. Without entering very deep into the subject, let me reply, in a few words, to an observation which fell from a noble and learned Lord, that the Company's finances are distressed, and that they owe, at this moment, a million sterling to the nation. When such a charge is brought, will Parliament, in its justice, forget that the Company is restricted from employing that credit, which its great and flourishing situation gives to it? Will Parliament, in its justice, forget that all the bill-holders of the Company are willing to extend the period of payment? Will Parliament, in its justice, forget, that so high is the credit of this Company, that if the restrictions were taken off to-morrow morning, every demand due to the State would be discharged? Will Parliament, in its justice, forget, that not all the wisdom of His Majesty's Councils, nor the united wisdom of this country, has prevented us from being involved in a long, a dangerous, and an expensive war? Will Parliament, in its justice, forget, that though we have met with loss, misfortune, and disgrace,

grace, in every other quarter of the globe, this delinquent East-India Company has surmounted the most astonishing difficulties in India? Will the justice of Parliament forget, that when peace was at last restored to this unfortunate country, the conquests of this delinquent Company were given up, to prevent farther sacrifices in the West? Will Parliament, in its justice, forget, that this delinquent Company, by the additional expence of freight, or captures at sea, has sustained a loss of two millions seven hundred thousand pounds, In consequence of our national war! Will Parliament, in its justice, forget, that when this country has increased its debt above one hundred millions sterling, this delinquent Company wants but a little time to pay all it owes to the Exchequer, or privilege to use its flowing credit? Will Parliament, in its justice, forget, that at a former period, when its commerce was circumscribed, when it had not an empire to support, this delinquent Company was allowed to issue bonds to the amount of three millions sterling, though now limited, at the close of an extensive and calamitous war, to the sum of fifteen hundred thousand pounds? These are circumstances which must be recollected, when we mean to violate private property—an injury which must cut every Englishman to the bone, and which nothing but the strongest necessity, fully and fairly proved, can ever justify.

The noble and learned Lord has mentioned the depopulation of fertile provinces in India, the expulsion of a King from his palace, and the cruelties exercised upon an old woman. These, my Lords, are sounding words; but I call upon the noble and learned Lord to prove the facts. It is something singular, that when the character of Mr. Hastings is thus held up to public detestation, his name should be cautiously suppressed. Whence, my Lords, this remarkable degree of delicacy towards Mr. Hastings? If he is a desolator of provinces; if he is a plunderer, and an enemy to the human race, let him be punished for his crimes; but let the facts be proved. The little, low, dirty attempts of malice and faction, which have long been employed

employed to destroy the character of that great man (as I think him) can have no weight with your Lordships. How industriously, my Lords, has every transaction of Mr. Hastings's long government, that could tend to criminate him, been circulated? The Reports of a Committee have been sold as pamphlets. The ingenuity of some men, the industry and the warm imagination of others, have been long employed to sully the well-earned reputation of Mr. Hastings. To my mind, my Lords, Mr. Hastings is one of the most extraordinary characters that this country has ever produced. He has served the East-India Company thirty-three years in the most important situations, twelve years as Governor, or Governor-General of Bengal. He is a man, my Lords, whose integrity, whose honour, whose firmness of mind, and whose perseverance, are not only very generally acknowledged in this kingdom, and in Asia, but throughout the continent of Europe. He is a man, my Lords, who possesses a most extensive knowledge of the languages, the politics, the customs, and the revenues of Hindostan. He is a man, my Lords, who infused the spirit which animated his own mind, and rose superior to the astonishing difficulties he had to encounter, into the breasts of our brave and intrepid countrymen, who have so nobly distinguished themselves in Asia. Mr. Hastings is a man, my Lords, who has re-established peace in India, who furnished resources for the war while it lasted, by an increase of revenue in Bengal, and has preserved the provinces under his more immediate control in peace and tranquillity. Mr. Hastings is a man, my Lords, who has held a bold and consistent language throughout. When the Government of this country sent three men to thwart and to oppose all his measures, he desired either to be recalled or confirmed. Would to God those men had never arrived there. When I consider the scene of confusion that ensued, the factious, personal, and party spirit, by which they were actuated from the very hour of their landing, I am astonished that Mr. Hastings has been able to surmount so arduous
a trial.

a trial. What have been the means, my Lords, to which Mr. Hastings has had recourse to preserve his power? Has he employed the low and dirty arts of intrigue, which have heretofore been practised?

No, my Lords, he has been supported by the voice of the public; by great and meritorious actions! This being my opinion of Mr. Hastings, I shall support him until evidence of his delinquency shall be produced. Whence, my Lords, this extreme desire to avoid a full and pure discussion of this question? I again repeat it; if Mr. Hastings is guilty, recal him, punish him; but do not, my Lords, let us be deluded by tales fabricated for the purpose of the hour, and circulated with a degree of industry which disgraces the honour and dignity of the British nation. I cannot help adding, my Lords, that to my mind the late dispatches from India contain such convincing proofs of the vigour of our Government in Bengal, of the regulations formed for the collection of the revenues, and the administration of justice throughout the provinces, added to the æconomical arrangements formed in the civil and military departments, that I do believe it will not be in the power of any clerk in office, that Mr. Fox's Directors may send out, to throw Bengal into confusion again in less than two or three years.

Lord Thurlow, Dec. 9, 1783.

THE moment being now arrived when we are called upon, not only by the voice of the nation, but by the peculiar characteristic of this House, the feelings of our own honour, to exercise that function which the constitution of the country hath placed in us; I mean, my Lords, that of holding between the King and People the balance of the State in the scale of its government; or, as Charles the First used to express it, 'of being that excellent screen between the Prince and the People, to assist each against the encroachments of the other.' It is therefore that I rise, and before any other proceedings are had upon the bill

bill that is now before us, for ‘vesting the affairs of the East-India Company in the hands of certain Directors,’ to trouble your Lordships with a very few words, as introductory to a motion which I mean to have the honour of submitting to your Lordships’ consideration.

My Lords, the bill before us, ‘for vesting the affairs of the East-India Company in the hands of certain Directors,’ is, in a threefold manner, now under the contemplation of this House; and it is so, my Lords, first, in address and appeal to us in our legislative capacities, in common with the two other branches of the Legislature.

Secondly, in address and appeal to us as the supreme court of judicature, or dernier resort of justice, distinct from the two other branches of the Legislature, and appertaining to ourselves.

And thirdly, my Lords, in that capacity, in that peculiar and distinguished capacity to which I have just alluded, the capacity of being the mediator between the King and People, and of rendering justice to both, by opposing as well the encroachments of the Crown upon the liberties of the subject, as the encroachments of the subject upon the just prerogatives of the Crown.

Of the two former, my Lords, our legislative and judiciary capacities, and our duties therein upon this occasion, I shall not now take up any of your Lordships’ time, nor, I trust, shall I have any future occasion to do so; but it is to the third, our mediation between the Crown and its subjects, grounded upon the present necessity of our interference, that at this moment leads me to call your Lordships’ attention.

Of the bill, my Lords, of which I have spoken, your Lordships having read it, it is unnecessary for me to enter into the detail of its particulars; indeed it is not the time for me to do so, and I must again hope that that time will never arrive. But it is to its principle that I am now to look; and, in so doing, enough and enough remains to occupy the deepest and most

solemn reflections of this House; for, in this view of the bill, what is it that your Lordships have to see, but a bill that has for its subject-matter, propositions as fatal to the just prerogative of the Crown, by their adoption, as by their effects they will be found ruinous to, and subversive of, the rights, liberties, and properties of the subject: propositions as *unique* in themselves, as they are unmatched in the annals of our history: propositions, big with ambition; with ambition no less violent than that which filled the mind of Cromwell, and brought the head of Charles the First to the block. No less violent did I say, my Lords? Ten times more violent, more daring, more enterprising! For, in the case of that Cromwell, he had some ground to stand upon, he had arguments to offer, he had reasons to assign, he had, at least, that plea of tyrants, the plea of necessity, for what he did; for, in the words of Lord Bolingbroke, he had this to say, either that “Charles the First must lose his head, or England lose its liberties.”

But in the case of the Cromwell of this bill, what has he to urge for that which he has done? What ground has he to stand upon? What arguments to offer? What reasons to assign? What plea of necessity to state? A plea of necessity, it is true, he has; he stated to the House of Commons, that the East-India Company was bankrupt; it was a false statement, it was false in proof: but I admit the truth of both; and yet, whence arose the necessity of subverting the constitution of this country, by placing the executive power of government in the hands of a mountebank Secretary of State? A Secretary who does not shrink back from declaring, that he is not the King's Minister, but the Minister of the People; who glories in the distinction, who fortifies himself under it in the House in which he acts. And yet, my Lords, no more the Minister of the People, than I the friend of his politics. The Minister, it is true, of a corrupt majority of the House of Commons, where the people now are, as he says; but not the Minister

Minister of the people, as when mounted on his stages at Covent Garden and Westminster Hall.

But I say, my Lords, whence arose the necessity of this subversion of the Constitution? Whence arose the necessity of erecting a new power in the State? A middle power between the King and People; on the one hand holding the King in chains, and on the other ruling the People through the medium of a corrupt majority in Parliament, with a rod of iron? And yet, my Lords, this is the proposition in *totidem verbis*; a proposition to wrest the reins of government out of the hands of the executive power, and to place it in the hands of a self-created demagogue, supported by a factious and desperate cabal; a proposition therefore no less injurious to the People, than at the same time furnishing the most direct attack upon Majesty that the annals of our history afford; a proposition, as I have said, more daring even than that which brought the head of Charles I. to the block, because less founded; a proposition of ambition no less glaring, but, I trust, my Lords, less hopeful, for it is ours to prevent it.

But, my Lords, it has been said of this bill on the one side, that it will increase the influence of the Crown, and it has been cunningly and craftily not denied on the other. But this is not the truth, my Lords; I deny the fact; the reverse is the truth. The bill is not to increase the influence of the Crown, it is to destroy it. It is, I admit, to obtain an influence; but an influence as poisonous to the just influence and legal prerogative of the Crown, as it is deadly to the rights and liberties of the People.

And when I say this, my Lords, let it not be thought that I speak rashly and unadvisedly upon the subject, that I talk without book, that I reason without my host, that I am unsupported in what I say, I speak, my Lords, to the sense and knowledge of the House; for, my Lords, to pull down the influence of the Crown has been the long unremitting endeavours of the Minister of the People and his Whig connections, as they are

called, (for of the Tory Coalition I shall presently speak) the House wants no information; the facts speak for themselves. We have seen bills of reform upon bills of reform to this end passing into acts of the Legislature; bills taking away from the splendor of the Crown, no less necessary than the birth-right of the Prince; bills meanly and ignominiously descending into the very kitchen and cellar of the King, there to retrench and deprive His Majesty of the very comforts and provisions of his table. Can it then, my Lords, even in supposition, be thought, that those who have done this, can now have any view or intention to throw the wealth of the East into the lap of the Throne? No, my Lords, the very supposition is absurdity itself. Besides, the bill states the contrary; for four years certain the Crown has nothing to do with it; and give me a lease for four years of such means of corruption as these are, and I must be, what the Minister of the People is not, a very silly politician indeed, if I do not purchase a fee simple in the premises for ever after.

But this is not all, my Lords; for let us look for demonstration upon this subject, to the tenets and principles of this party of men, and in doing this, let us look to their creed, in a well-known publication of theirs, called "Thoughts on the present Discontent;" and then look to their practice upon that creed. Look to their creed, and there you will find, that whilst it pulls the influence of the Crown down to the ground, it sets up another influence ten times more dangerous, ten times more destructive to the Constitution. The influence of an Aristocracy, or to express it in their own words, the influence of connection; and of which this creed speaking, says, "in one of the most fortunate periods of our history, this country was governed by a Connection. I mean the great connection of Whigs in the reign of Queen Anne." Such is this influence, my Lords, the influence of an oligarchical junto in the two Houses of Parliament, holding, as I have said, the King captive on the one hand, and with the other ruling the People,

not

not by the fundamental laws of the land, but after the manner of this bill, by laws "of mere political discretion only," and subversive of their rights, liberties, and properties.

But, my Lords, let us now look to their practice upon this creed!—and here I am aware I am anticipated by the House, and that the day which stains, and will continue everlastingly to stain, the Journals of Parliament, I mean the 17th of February last, is uppermost in the thoughts, and present to the minds of every one of your Lordships. A day of connection, my Lords; a day when, by an infamous and wicked connection of principles, not the connection of *idem sentire de republica*, which alone is, or can be the basis of all well-intentioned political union, but of the most jarring factions; a connection which one might have thought no chemistry, either on earth or in heaven, could ever have brought together: I say, my Lords, a day when His Majesty was besieged in his cabinet; when he was told the appointment of his own domestic servants did not lie in him; when His Majesty resisted; but when, after a six-weeks resistance, with a fortitude of mind that will add lustre to his reign, he fell a victim to this connection.

And thus, my Lords, has the theory of these politics been now reduced to practice; for such have been the effects of this connection which is now sought by this bill. Not the influence of the King's Minister for the King, but of the King's Minister against the King. Of the King's Minister, who, if this bill passes, may say to the King, I am the Minister of this country; and let my conduct be what it will, let my insults to you be what they may, it is not in your power, it is what you dare not do, it is not for you to remove me.

My Lords, when Charles II. and James II. seized upon the charters, which they did for the purposes of the State, as they said, although, says Sir William Blackstone, the proceedings in most of them were sufficiently regular, it gave great and just offence: but it seems Charles-James Fox can now of himself attempt what both those tyrants, Charles and James

Stuart, put together, dared not to do, seize upon charters by force and violence.

Earl of Abingdon, Dec. 15, 1783.

FROM the commencement of the East-India bill, I have, by every exertion in my power, summoned the attention of the House, and of the country in general, to the importance and dangerous consequences of the measure now proposed. I have pledged myself to the House, and to the world at large, to point out the dreadful tendency of this bill on every thing dear and sacred to Englishmen; to prove its inimical influence on the constitution and liberties of this country; and to establish, by undeniable evidence, the false and pernicious principles on which it is founded. These particulars require time and deliberation, which the violent and indecent precipitancy of this business virtually proscribed. However, it is impossible to regard the very face of the bill, without feeling strong repugnance at its success. I desire the House to take notice, that the ground of necessity, upon which the bill had been originally declared to have been introduced, is now changed; that necessity no longer rests on the simple, clear, and obvious proposition, the bankruptcy of the East-India Company, but is this day placed on a still weaker foundation, but a foundation infinitely more fallacious, upon the temporary distress of the Company. Is that a fit plea to warrant the passing of a bill, which openly professes a daring violation of the chartered rights of the Company, and proceeds to an immediate confiscation of all their property? Ought the House to be satisfied with it, even if proved beyond the possibility of question? I trust they will not; I trust the House has too much regard for its own honour and dignity, too scrupulous an attention to justice, and too conscientious an adherence to their duty to their constituents, to support the Minister in one of the boldest, most unprecedented, most desperate and alarming attempts at the exercise of tyranny, that ever disgraced the annals of this or
any

any other country. The right honourable gentleman, whose eloquence and whose abilities would lend a grace to deformity, had appealed to your passions, and pressed home to your hearts the distressed situation of the unhappy natives of India. A situation which every man most deeply deplore, and anxiously wish to relieve; but ought the right honourable gentleman to proceed to the protection of the oppressed abroad, by enforcing the most unparalleled oppression at home? Is the relief to be administered in Asia, to be grounded on violence and injustice in Europe? Let the House turn their eyes to the very extraordinary manner in which the very extraordinary bill now under consideration has been introduced. When the right honourable gentleman opened it to the House on Tuesday se'nnight, he urged the indispensable necessity of the measure as its only justification; and in order to carry that necessity to the conviction of the House, he gave such a state of the Company's affairs, as to convey to the ideas of almost every gentleman present, that the Company were bankrupts to the amount of eight millions. [Mr. Fox shook his head.] I am ready to admit that the right honourable gentleman did not expressly say so; but I shall still contend, that the manner in which the right honourable gentleman stated their affairs conveyed that idea. It has been entertained by most of those who heard the right honourable gentleman, it has been entertained by the public, and it has been entertained by the Company. The right honourable gentleman has himself confessed, he made several omissions in his former state of the Company's affairs: omissions he certainly did make; omissions, gross, palpable, and prodigious. What is the consequence? the Company flatly denied the right honourable gentleman's statement. They prepare an account of the true state of their affairs; they produce it at the bar of the House; they establish its authenticity by the concurrent testimony of their accountant and auditor. What happens then? The right honourable gentleman declares it is incumbent on him to clear his own character, and that can only be done by

refuting and falsifying the Company's statement of their affairs to the enormous amount of twelve millions. Arduous and difficult as this task is, the right honourable gentleman enters upon it with a degree of spirit peculiar to the boldness of his character. He acknowledges that the Company's paper must be deprived of its credit some how or other; and he proceeds in a most extraordinary manner to effect a purpose he had just told you was so necessary to himself. The right honourable gentleman ran through the account with a volubility that rendered comprehension difficult, and detection impossible. I attempted to follow Mr. Fox through his commentary; and though it is impossible, upon first hearing such a variety of assertions, to investigate the truth of all of them, and completely refute their fallacy, I will undertake to shew that the right honourable gentleman has unfairly reasoned upon some of the articles, grossly misrepresented others, and wholly passed by considerations material to be adverted to, in order to ascertain what is the true state of the Company's affairs. I must justify the Company's giving themselves credit for 4,200,000*l.* as the debt from Government, on the ground, that as they have advanced the full principal of the sum to Government, they have a right to give themselves credit for the whole of it; and the more especially, as on the other side they make themselves debtors for 2,992,440*l.* borrowed, to enable them to make the loan to Government of 4,200,000*l.* The money due for subsistence of prisoners in a former war, for the expences of the expedition against Manilla, and for hospital expences, shew that the Company were not to blame for inserting them on the credit side of their account. The right honourable gentleman has such a happy talent of rendering even the driest subject lively, that his pleasant allusion to the charge of one halfpenny for bread in Falstaff's tavern bill, when he came to take notice of the 1000*l.* amount of silver remaining in the Treasury of the East-India Company, so far caught my fancy, that it was not till a minute or two afterwards that I

glanced

glanced my eye a little higher in the same page of the Company's account, and saw an entry of money to the amount of 142,794l. The right honourable gentleman has taken such advantage to display his oratory, that the House have been lost in a blaze of eloquence, and so dazzled with the lustre and brilliancy of the right honourable gentleman's talents, that they have been deprived of the exercise of their sober reason, and rendered incompetent to weigh the propriety of the Company's making any mention of debts, some of which they expressly declare will be lingering in their payment, and others which they acknowledge to be precarious.

The last matter urged against the Company, viz. their capital, is, to my mind, the most extraordinary of any thing I ever met with. I have often heard, when traders are bankrupts, or when it becomes necessary that their affairs should be vested in the hands of trustees, that it is incumbent on them to discover the whole amount of their debt to others; but I never before knew, that it was either incumbent on them to state, or necessary for the creditors to know, how much they owed themselves. I must deny that there is any deficiency whatever in their capital; contending, on the other hand, that the Company, though distressed, are by no means insolvent, and that they ought to be allowed an opportunity of proving the whole of the statement of their affairs at the bar of the House. The right honourable Secretary has accused the temerity of the Company in bringing before this House the accounts of the Company in a state exceedingly fallacious. He has asked what indignation and censure is due to the individual who dared to have thus trifled with truth, with decency, and with the dignity of the House? What then shall be said of a Minister, who ventures to rise up in his place, and impose on the House a statement every way absurd and erroneous? On these, and many other accounts, I am clearly for deferring the debate.

Mr. William Pitt, Nov. 27, 1783.

It is not only agreed, but demanded, by the right honourable gentleman, [Mr. Pitt] and by those who act with him, that a *whole* system ought to be produced; that it ought not to be an *half measure*; that it ought to be no *palliative*; but a legislative provision, vigorous, substantial, and effective. I believe that no man who understands the subject can doubt for a moment, that those must be conditions of any thing deserving the name of a reform in the Indian Government; that any thing short of them would not only be delusive, but, in this matter, which admits no medium, noxious in the extreme.

To all the conditions proposed by his adversaries, the mover of the bill perfectly agrees; and on his performance of them he rests his cause. On the other hand, not the least objection has been taken with regard to the efficiency, the vigour, or the completeness of the scheme. I am therefore warranted to assume, as a thing admitted, that the bills accomplish what both sides of the House demand as essential. The end is completely answered, so far as the direct and immediate object is concerned.

But though there are no direct, yet there are various collateral objections made; objections from the effects, which this plan of reform for Indian Administration may have on the privileges of great public bodies in England, from its probable influence on the constitutional rights, or on the freedom and integrity of the several branches of the Legislature.

Before I answer these objections, I must beg leave to observe, that if we are not able to contrive some method of governing India *well*, which will not of necessity become the means of governing Great Britain *ill*, a ground is laid for their eternal separation; but none for sacrificing the people of that country to our constitution. I am, however, far from being persuaded that any such incompatibility of interest does at all exist. On the contrary, I am certain that every means effectual to preserve India from oppression, is a guard
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to preserve the British constitution from its worst corruption. To shew this, I will consider the objections, which I think are four:

1st, That the bill is an attack on the chartered rights of men.

2dly, That it increases the influence of the Crown.

3dly, That it does *not* increase, but diminishes, the influence of the Crown, in order to promote the interests of certain Ministers and their party.

4thly, That it deeply affects the national credit.

As to the first of these objections, I must observe, that the phrase of "the chartered rights of *men*," is full of affectation, and very unusual in the discussion of privileges conferred by charters of the present description. But it is not difficult to discover what end that ambiguous mode of expression, so often reiterated, is meant to answer.

The rights of *men*, that is to say, the natural rights of mankind, are indeed sacred things; and if any public measure is proved mischievously to affect them, the objection ought to be fatal to that measure, even if no charter at all could be set up against it. If these natural rights are farther affirmed and declared by express covenants; if they are clearly defined and secured against chicane, against power, and authority, by written instruments and positive engagements, they are in a still better condition: they partake not only of the sanctity of the object so secured, but of that solemn public faith itself which secures an object of such importance. Indeed this formal recognition, by the sovereign power, of an original right in the subject, can never be subverted, but by rooting up the holding radical principles of government, and even of society itself. The charters which we call by distinction *great*, are public instruments of this nature; I mean the charters of King John and King Henry the Third. The things secured by these instruments may, without any deceitful ambiguity, be very fitly called the *chartered rights of men*.

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These charters have made the very name of a charter dear to the heart of every Englishman. But, Sir, there may be, and there are, charters, not only different in nature, but formed on principles the *very reverse* of those of the Great Charter. Of this kind is the charter of the East-India Company. *Magna Charta* is a charter to restrain power, and to destroy monopoly. The East-India charter is a charter to establish monopoly, and to create power. Political power and commercial monopoly are *not* the rights of men; and the rights to them derived from charters, it is fallacious and sophistical to call “the chartered rights of men.” These chartered rights (to speak of such charters, and of their effects, in terms of the greatest possible moderation) do at least suspend the natural rights of mankind at large; and in their very frame and constitution are liable to fall into a direct violation of them.

It is a charter of this latter description (that is to say, a charter of power and monopoly) which is affected by the bill before you. This bill, Sir, without question, does affect it; it does affect it essentially and substantially. But, having stated to you of what description the chartered rights are which this bill touches, I feel no difficulty at all in acknowledging those chartered rights in their fullest extent. They belong to the Company in the surest manner; and they are secured to that body by every sort of public sanction. They are stamped by the faith of the King; they are stamped by the faith of Parliament; they have been bought for money—for money honestly and fairly paid; they have been bought for a valuable consideration, over and over again.

I therefore freely admit to the East-India Company their claim to exclude their fellow subjects from the commerce of half the globe. I admit their claim to administer an annual territorial revenue of seven millions sterling; to command an army of sixty thousand men; and to dispose (under the control of a Sovereign, imperial discretion, and with the due observance of the natural and local law) of the lives and fortunes of thirty

millions

millions of their fellow creatures. All this they possess by charter, and by acts of Parliament, in my opinion, without a shadow of controversy.

Those who carry the rights and claims of the Company the farthest, do not contend for more than this; and all this I freely grant. But, granting all this, they must grant to me, in my turn, that all political power which is set over men, and that all privileges claimed or exercised in exclusion of them, being wholly artificial, and, for so much, a derogation from the natural equality of mankind at large, ought to be some way or other exercised ultimately for their benefit.

If this is true with regard to every species of political dominion, and every description of commercial privilege, none of which can be original, self-derived rights, or grants for the mere privilege or benefit of the holders, then such rights, or privileges, or whatever else you chuse to call them, are all in the strictest sense a *trust*; and it is the nature and essence of every trust to be rendered *accountable*; and even totally to *cease*, when it substantially varies from the purposes for which alone it could have a lawful existence.

This I conceive, Sir, to be true, of trusts of power vested in the highest hands, and of such as seem to hold of no human creature. But about the application of this principle to subordinate, *derivative* trusts, I do not see how a controversy can be maintained. To whom then would I make the East-India Company accountable? Why, to Parliament to be sure; to Parliament, from whom their trust was derived; to Parliament, which alone is capable of comprehending the magnitude of its object, and its abuse; and alone capable of an effectual legislative remedy. The very charter which is held out to exclude Parliament from correcting malversation with regard to the high trust vested in the Company, is the very thing which at once gives a title, and imposes a duty on us to interfere with effect, wherever power and authority, originating from ourselves,

selves, are perverted from their purposes, and become instruments of wrong and violence.

If Parliament, Sir, had nothing to do with this charter, we might have some sort of epicurean excuse to stand aloof, indifferent spectators of what passes in the Company's name in India and in London. But if we are the very cause of the evil, we are in a special manner engaged to the redress; and for us passively to bear with oppressions committed under the sanction of our own authority, it is in truth and reason for this House to be an active accomplice in the abuse.

That the power notoriously, grossly abused, has been bought from us, is very certain. But this circumstance, which is urged against the bill, becomes an additional motive for our interference, lest we should be thought to have sold the blood of millions of men for the base consideration of money. We sold, I admit, all that we had to sell; that is, our authority, not our control. We had not a right to make a market of our duties.

I ground myself, therefore, on this principle: that if the abuse is proved, the contract is broken; and we re-enter into all our rights; that is, into the exercise of all our duties. Our own authority is indeed as much a trust originally, as the Company's authority is a trust derivatively; and it is the use we make of the resumed power that must justify or condemn us in the resumption of it. When we have perfected the plan laid before us by the right honourable mover, the world will then see what it is we destroy, and what it is we create. By that test we stand or fall; and by that test I trust that it will be found in the issue, that we are going to supersede a charter abused to the full extent of all the powers which it could abuse, and exercised in the plenitude of despotism, tyranny, and corruption; and that, in one and the same plan, we provide a real chartered security for the *rights of men*, cruelly violated under that charter.

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This bill, and those connected with it, are intended to form the *Magna Charta* of Hindostan. Whatever the treaty of Westphalia is to the liberty of the Princes and free cities of the Empire, and to the three religions there professed—whatever the Great Charter, the Statute of Tallage, the Petition of Right, and the Declaration of Right, are to Great Britain, these bills are to the people of India. Of this benefit, I am certain, their condition is capable; and when I know that they are capable of more, my vote shall most assuredly be for our giving to the full extent of their capacity of receiving; and no charter of dominion shall stand as a bar in my way to their charter of safety and protection.

The strong admission I have made of the Company's rights, I am conscious of it, binds me to do a great deal. I do not presume to condemn those who argued *a priori*, against the propriety of leaving such extensive political powers in the hands of a company of merchants. I know much is, and much more may be said against such a system. But, with my particular ideas and sentiments, I cannot go that way to work. I feel an insuperable reluctance in giving my hand to destroy any established institution of Government, upon a theory, however plausible it may be. My experience in life teaches me nothing clear upon the subject. I have known merchants with the sentiments and the abilities of great statesmen; and I have seen persons in the rank of statesmen, with the conceptions and character of pedlars. Indeed, my observations have furnished me with nothing that is to be found in any habits of life or education, which tends wholly to disqualify men for the functions of Government, but that, by which the power of exercising those functions is very frequently obtained, I mean a spirit and habit of low cabal and intrigue; which I have never, in one instance, seen united with a capacity for sound and manly policy.

To justify us in taking the administration of their affairs out of the hands of the East-India Company, on my principles, I must

must see several conditions. 1st, The object affected by the abuse should be great and important. 2d, The abuse affecting this great object, ought to be a great abuse. 3d, It ought to be habitual, and not accidental. 4th, It ought to be utterly incurable in the body as it now stands constituted. All this ought to be made as visible to me as the light of the sun, before I should strike off an atom of their charter. A right honourable gentleman [Mr. Pitt] has said, and said, I think, but once, and that very slightly, (whatever his original demand for a plan might seem to require) that "there are abuses in the Company's government." If that were all, the scheme of the mover of this bill, the scheme of his learned friend, and his own scheme of reformation (if he has any) are all equally needless. There are, and must be, abuses in all governments. It amounts to no more than a nugatory proposition. But before I consider of what nature these abuses are, of which the gentleman speaks so very highly, permit me to recal to your recollection the map of the country which this abused chartered right affects. This I shall do, that you may judge whether in that map I can discover any thing like the first of my conditions; that is, whether the object affected by the abuse of the East-India Company's power be of importance sufficient to justify the measure and means of reform applied to it in this bill.

With very few, and those inconsiderable intervals, the British dominion, either in the Company's name, or in the names of Princes absolutely dependent upon the Company, extends from the mountains that separate India from Tartary, to Cape Comorin, that is, one-and-twenty degrees of latitude!

In the northern parts, it is a solid mass of land, about eight hundred miles in length, and four or five hundred broad. As you go southward, it becomes narrower for a space. It afterwards dilates; but narrower or broader, you possess the whole eastern and north-eastern coast of that vast country, quite from the borders of Pegu. Bengal, Bahar, and Orissa, with Benares,

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(now unfortunately in our immediate possession) measure 161,978 square English miles; a territory considerably larger than the whole kingdom of France. Oud, with its dependent provinces, is 53,286 square miles; not a great deal less than England. The Carnatic, with Tanjore and the Circars, is 65,948 square miles, very considerably larger than England; and the whole of the Company's dominion, comprehending Bombay and Salfette, amounts to 281,412 square miles; which forms a territory larger than any European dominion, Russia and Turkey excepted. Through all that vast extent of country, there is not a man who eats a mouthful of rice, but by permission of the East-India Company.

So far with regard to the extent. The population of this great empire is not easy to be calculated. When the countries, of which it is composed, came into our possession, they were all eminently peopled, and eminently productive; though at that time considerably declined from their ancient prosperity. But since they are come into our hands!——! However, if we take the period of our estimate immediately before the utter desolation of the Carnatic, and if we allow for the havoc which our government had even then made in these regions, we cannot, in my opinion, rate the population at much less than thirty millions of souls: more than four times the number of persons in the island of Great Britain.

My next inquiry to that of the number, is the quality and description of the inhabitants. This multitude of men does not consist of an abject and barbarous populace, much less of gangs of savages, like the Guaranies and Chiquotos, who wander on the waste borders of the river of Amazons, or the Plate; but a people for ages civilised and cultivated; cultivated by all the arts of polished life, whilst we were yet in the woods. There have been (and still the skeletons remain) Princes, once of great dignity, authority, and opulence. There are to be found the chiefs of tribes and nations. There is to be found an ancient and venerable priesthood,

the depository of their laws, learning, and history, the guides of the people whilst living, and their consolation in death; a nobility of great antiquity and renown; a multitude of cities, not exceeded in population and trade by those of the first class in Europe; merchants and bankers, individual houses of whom have once vied in capital with the bank of England; whose credit had often supported a tottering State, and preserved their governments in the midst of war and desolation; millions of ingenious manufacturers and mechanics; millions of the most diligent, and not the least intelligent, tillers of the earth. Here are to be found almost all the religions professed by men, the Braminical, the Mussulinen, the Eastern and the Western Christians.

If I were to take the whole aggregate of our possessions there, I should compare it, as the nearest parrallel I can find, with the empire of Germany. Our immediate possessions I should compare with the Austrian dominions, and they would not suffer in the comparison. The Nabob of Oude might stand for the King of Prussia; the Nabob of Arcot I would compare, as superior in territory, and equal in revenue, to the Elector of Saxony. Cheyt Sing, the Rajah of Benares, might well rank with the Prince of Hesse, at least; and the Rajah of Tanjore (though hardly equal in extent of dominion, superior in revenue) to the Elector of Bavaria. The Polygars and the northern Zemindars, and other great chiefs, might well class with the rest of the Princes, Dukes, Counts, Marquisses, and Bishops, in the empire; all of whom I mention to honour, and surely without disparagement to any or all of those most respectable Princes and Grandees.

All this vast mass, composed of so many orders and classes of men, is infinitely diversified by manners, by religion, by hereditary employment, through all their possible combinations. This renders the handling of India a matter in an high decree critical and delicate. But oh! it has been handled rudely indeed. Even some of the reformers seem to have
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forgot that they had any thing to do but to regulate the tenants of a manor, or the shopkeepers of the next country town.

It is an empire of this extent, of this complicated nature, of this dignity and importance, that I have compared to Germany, and the German government; not for an exact resemblance, but as a sort of a middle term, by which India might be approximated to our understandings, and, if possible, to our feelings; in order to awaken something of sympathy for the unfortunate natives, of which I am afraid we are not perfectly susceptible, whilst we look at this very remote object through a false and cloudy medium.

My second condition, necessary to justify me in touching the charter, is, whether the Company's abuse of their trust, with regard to this great object, be an abuse of great atrocity. — I shall beg your permission to consider their conduct in two lights; first the political, and then the commercial. — Their political conduct (for distinctness) I divide again into two heads; the external, in which I mean to comprehend their conduct in their federal capacity, as it relates to powers and states independent, or that not long since were such; the other internal, namely, their conduct to the countries either immediately subject to the Company, or to those who, under the apparent government of native sovereigns, are in a state much lower, and much more miserable than common subjection.

With regard to the abuse of the external federal trust, I engage myself to you to make good these three positions:—First, I say, that from Mount Imaus, (or whatever else you call that large range of mountains that walls the northern frontier of India) where it touches us in the latitude of twenty-nine, to Cape Comorin, in the latitude of eight, that there is not a *single* Prince or State, or Potentate, great or small, in India, with whom they have come into contact, whom they have not sold. I say *sold*, though sometimes they have not

been able to deliver according to their bargain.—Secondly, I say, that there is not even a *single treaty* they ever made which they have not broken.—Thirdly, I say, that there is not a single Prince or State, who ever put any trust in the Company, who is not utterly ruined; and that none are, in any degree, secure or flourishing, but in the exact proportion to their settled distrust, and irreconcilable enmity to this nation.

These assertions are universal. I say, in the full sense, *universal*. They regard the external and political trust only; but I shall produce others fully equivalent in the internal.—For the present, I shall content myself with explaining my meaning; and if I am called on for proof whilst these bills are depending (which I believe I shall not) I will put my finger on the Appendixes to the Reports, or on papers of record in the House, or the Committees, which I have distinctly present to my memory, and which, I think, I can lay before you at half an hour's warning.

The first Potentate sold by the Company for money was the Great Mogul—the descendant of Tamerlane. This high personage, as high as human veneration can look at, is, by every account, amiable in his manners, respectable for his piety according to his mode, and accomplished in all the oriental literature. All this, and the title derived under his *charter*, to all that we hold in India, could not save him from the general *sale*. Money is coined in his name; in his name justice is administered; he is prayed for in every temple through the countries we possess. But he was sold.

It is impossible, Mr. Speaker, not to pause here for a moment, to reflect on the inconstancy of human greatness, and the stupendous revolutions that have happened in our age of wonders. Could it be believed, when I entered into existence, or when you, a younger man, were born, that on this day, in this House, we should be employed in discussing the conduct of those British subjects who had disposed of the power and
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person of the Great Mogul? This is no idle speculation. Awful lessons are taught by it, and by other events, of which it is not yet too late to profit.

This is hardly a digression; but I return to the sale of the Mogul. Two districts, Corah and Allahabad, out of his immense grants, were reserved as a royal demesne to the donor of a kingdom, and the rightful sovereign of so many nations.—After withholding the tribute of 260,000*l.* a year, which the Company was, by the *charter* they had received from this Prince, under the most solemn obligation to pay, these districts were sold to his chief Minister, Sujah ul Dowlah; and, what may appear to some the worst part of the transaction, these two districts were sold for scarcely two years purchase. The descendant of Tamerlane now stands in need almost of the common necessities of life; and in this situation we do not even allow him, as bounty, the smallest portion of what we owe him in justice.

The next sale was that of the whole nation of the Rohillas, which the grand salesman, without a pretence of quarrel, and contrary to his own declared sense of duty and rectitude, sold to the same Sujah ul Dowlah. He sold the people to utter *extirpation*, for the sum of two hundred thousand pounds.—Faithfully was the bargain performed on our side. Hafiz Rhamet, the most eminent of their chiefs, one of the bravest men of his time, and as famous throughout the East for the elegance of his literature, and the spirit of his poetical compositions (by which he supported the name of Hafiz) as for his courage, was invaded with an army of an hundred thousand men, and an English brigade. This man, at the head of inferior forces, was slain, valiantly fighting for his country. His head was cut off, and delivered for money to a barbarian. His wife and children, persons of that rank, were seen begging an handful of rice through the English camp. The whole nation, with inconsiderable exceptions, was slaughtered or banished. The country was laid waste with fire and sword;

and that land, distinguished above most others, by the cheerful face of paternal government and protected labour, the chosen seat of cultivation and plenty, is now almost throughout a dreary desert, covered with rushes and briars, and jungles full of wild beasts.

In Bengal, Seraja Dowlah was sold to Mir Jaffier; Mir Jaffier was sold to Mir Cossim; and Mir Cossim was sold to Mir Jaffier again. The succession to Mir Jaffier was sold to his eldest son;—another son of Mir Jaffier, Mobarech ul Dowlah, was sold to his step-mother—The Mahratta empire was sold to Ragoba; and Ragoba was sold and delivered to the Peishwa of the Mahrattas. Both Ragoba and the Peishwa of the Mahrattas were offered to sale to the Rajah of Berar. Scindia, the chief of Malva, was offered to sale to the same Rajah; and the Subah of the Decan was sold to the great trader Mahomet Ali, Nabob of Arcot. To the same Nabob of Arcot they sold Hyder Ali, and the kingdom of Mysore. To Mahomet Ali they sold the kingdom of Tanjore. To the same Mahomet Ali they sold, at least, twelve sovereign Princes called the Polygars. But to keep things even, the territory of Tinnivelly, belonging to their Nabob, they would have sold to the Dutch; and, to conclude the account of sales, their great customer, the Nabob of Arcot himself, and his lawful succession, has been sold to his second son, Amir ul Omrah, whose character, views, and conduct, are in the accounts upon your table. It remains with you, whether they shall finally perfect this last bargain.

All these bargains and sales were regularly attended with the waste and havock of the country, always by the buyer, and sometimes by the object of the sale. This was explained to you by the honourable mover, when he stated the mode of paying debts due from the country powers to the Company.—An honourable gentleman, who is not now in his place, objected to his jumping near two thousand miles for an example. But the southern example is perfectly applicable to the northern
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claim, as the northern is to the southern ; for, throughout the whole space of these two thousand miles, take your stand where you will, the proceeding is perfectly uniform, and what is done in one part will apply exactly to the other.

My second assertion is, that the Company never has made a treaty which they have not broken. This position is so connected with that of the sales of provinces and kingdoms, with the negociation of universal distraction in every part of India, that a very minute detail may well be spared on this point. It has not yet been contended, by any enemy to the reform, that they have observed any public agreement. When I hear that they have done so, in any one instance, (which hitherto, I confess, I never heard alledged) I shall speak to the particular treaty. The Governor General has even amused himself and the Court of Directors in a very singular letter to that Board, in which he admits he has not been very delicate with regard to public faith ; and he goes so far as to state a regular estimate of the sums which the Company would have lost, or never acquired, if the rigid ideas of public faith entertained by his colleagues had been observed. The learned gentleman over-against me (Mr. Dundas, Lord Advocate of Scotland) has, indeed, saved me much trouble. On a former occasion, he obtained no small credit, for the clear and forcible manner in which he stated what we have not forgot, and I hope he has not forgot, that universal systematic breach of treaties which had made the British faith proverbial in the East.

It only remains, Sir, for me just to recapitulate some heads. The treaty with the Mogul, by which we stipulated to pay him 260,000*l.* annually, was broken. This treaty they have broken, and not paid him a shilling. They broke their treaty with him, in which they stipulated to pay 400,000*l.* a year to the Soubah of Bengal. They agreed with the Mogul, for services admitted to have been performed, to pay Nudjif Cawn a pension. They broke this article, with the rest, and stopped

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also this small pension. They broke their treaties with the Nizam, and with Hyder Ali. As to the Mahrattas, they had so many cross treaties with the States General of that nation, and with each of their chiefs, that it was notorious, that no one of these agreements could be kept without grossly violating the rest. It was observed, that if the terms of these several treaties had been kept, two British armies would, at one and the same time, have met in the field to cut each other's throats. The wars which desolate India, originated from a most atrocious violation of public faith on our part. In the midst of profound peace, the Company's troops invaded the Mahratta territories, and surprised the island and fortrefs of Salfette. The Mahrattas, nevertheless, yielded to a treaty of peace, by which solid advantages were procured to the Company. Again the Company invaded the Mahratta dominions. The disaster that ensued gave occasion to a new treaty. The whole army of the Company was obliged, in effect, to surrender to this injured, betrayed, and insulted people. Justly irritated, however, as they were, the terms which they prescribed were reasonable and moderate; and their treatment of their captive invaders, of the most distinguished humanity. But the humanity of the Mahrattas was of no power whatsoever to prevail on the Company to attend to the observance of the terms dictated by their moderation. The war was renewed with greater vigour than ever; and such was their insatiable lust of plunder, that they never would have given ear to any terms of peace, if Hyder Ali had not broke through the Gauts, and, rushing like a torrent into the Carnatic, swept away every thing in his career. This was in consequence of that confederacy, which, by a sort of miracle, united the most discordant powers for our destruction, as a nation in which no other could put any trust, and who were the declared enemies of the human species.

It is very remarkable, that the late controversy between the several presidencies, and between them and the Court of Directors,

Directors, with relation to these wars and treaties, has not been, which of the parties might be defended for his share in them; but on which of the parties the guilt of all this load of perfidy should be fixed. But I am content to admit all these proceedings to be perfectly regular, to be full of honour and good faith; and wish to fix your attention solely to that single transaction which the advocates of this system select for so transcendent a merit as to cancel the guilt of all the rest of their proceedings; I mean the late treaties with the Mahrattas [Here the merits of that treaty were entered into at large; and it was shewn, that all the allies of the Company were abandoned, and even surrendered, under loose articles, to the discretion of the enemy; that the treaty was ratified in the camp of one of the Mahratta chiefs, whilst he was battering a castle given as a security to an ally included in that treaty; and, on the authority of a private letter, said, that Mr. Hastings refused to receive the agent of this ally complaining of this breach of faith] In this manner, the Company has acted with their allies in the Mahratta war. But they did not rest here: the Mahrattas were fearful, lest the persons delivered to them by that treaty should attempt to escape into the British territories, and thus might elude the punishment intended for them, and, by reclaiming the treaty, might stir up new disturbances. To prevent this, they desired an article to be inserted in the supplemental treaty, to which they had the ready consent of Mr. Hastings and the rest of the Company's representatives in Bengal. It was this, "That the English and Mahratta governments mutually agree not to afford refuge to any *chiefs, merchants, or other persons*, flying for protection to the territories of the other." This was readily assented to, and assented to without any exception whatever, in favour of our surrendered allies. On their part, a reciprocity was stipulated, which was not unnatural for a government like the Company's to ask; a government, conscious that

that many subjects had been, and would in future, be driven to fly from its jurisdiction.

To complete the system of pacific intention and public faith, which predominate in these treaties, Mr. Hastings fairly resolved to put all peace, except on the terms of absolute conquest, wholly out of his own power. For, by an article in this second treaty with Scindia, he binds the Company not to make any peace with Tippoo Saib, without the consent of the Peishwa of the Mahrattas, and binds Scindia to him by a reciprocal engagement. The treaty between France and England obliges us mutually to withdraw our forces, if our allies in India do not accede to the peace within four months; Mr. Hastings' treaty obliges us to continue the war as long as the Peishwa thinks fit. We are now in that happy situation, that the breach of the treaty with France, or the violation of that with the Mahrattas, is inevitable; and we have only to take our choice.

My third assertion, relative to the abuse made of the right of war and peace, is, that there are none who have ever confided in us who have not been utterly ruined. The examples I have given of Ragonaut Row of Guickwar, of the Ranah of Gobud, are recent. There is proof more than enough in the condition of the Mogul; in the slavery and indigence of the Nabob of Oud; the exile of the Rajah of Benares; the beggary of the Nabob of Bengal; the undone and captive condition of the Rajah and kingdom of Tanjore; the destruction of the Polygars; and lastly, in the destruction of the Nabob of Arcot himself, who, when his dominions were invaded, was found entirely destitute of troops, provisions, stores, and (as he asserts) of money, being a million in debt to the Company, and four millions to others: the many millions which he had extorted from so many extirpated Princes, and their desolated countries, having (as he has frequently hinted) been expended for the ground rent of his mansion house in an ally in the suburbs of Madras. Compare the condition of all these Princes with

with the power and authority of all the Mahratta states, with the independence and dignity of the Soubah of the Decan, and the mighty strength, the resources, and the manly struggle of Hyder Ali; and then the House will discover the effects, on every power in India, of an easy confidence, or of a rooted distrust in the faith of the Company.

These are some of my reasons, grounded on the abuse of the external political trust of that body, for thinking myself not only justified, but bound to declare against those chartered rights which produce so many wrongs. I should deem myself the wickedest of men, if any vote of mine could contribute to the countenance of so great an evil.

Now, Sir, according to the plan I proposed, I shall take notice of the Company's internal government, as it is exercised, first, on the dependent provinces, and then as it affects those under the direct and immediate authority of that body. And here, Sir, before I enter into the spirit of their interior government, permit me to observe to you, upon a few of the many lines of difference which are to be found between the vices of the Company's government, and those of the conquerors who preceded us in India; that we may be enabled a little the better to see our way in an attempt to the necessary reformation.

The several irruptions of Arabs, Tartars, and Persians, into India, were, for the greater part, ferocious, bloody, and wasteful in the extreme. Our entrance into the dominion of that country was, as generally, with small comparative effusion of blood; being introduced by various frauds and delusions, and by taking advantage of the incurable, blind, and senseless animosity, which the several country powers bear towards each other, rather than by open force. But the difference in favour of the first conquerors is this: the Asiatic conquerors very soon abated of their ferocity, because they made the conquered country their own. They rose or fell with the rise or fall of the territory they lived in. Fathers there deposited the hopes
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of their posterity ; and children there beheld the monuments of their fathers. Here their lot was finally cast ; and it is the natural wish of all, that their lot should not be cast in a bad land. Poverty, sterility, and desolation, are not a recreating prospect to the eye of man ; and there are very few who can bear to grow old among the curses of a whole people. If their passion or their avarice drove the Tartar Lords to acts of rapacity or tyranny, there was time enough, even in the short life of man, to bring round the ill effects of an abuse of power upon the power itself. If hoards were made by violence and tyranny, they were still domestic hoards ; and domestic profusion, or the rapine of a more powerful and prodigal hand, restored them to the people. With many disorders, and with few political checks upon power, nature had still fair play ; the sources of acquisition were not dried up ; and, therefore, the trade, the manufactures, and the commerce of the country flourished. Even avarice and usury itself operated, both for the preservation and the employment of national wealth. The husbandman and manufacturer paid heavy interest ; but then they augmented the fund from whence they were again to borrow. Their resources were dearly bought, but they were sure ; and the general stock of the community grew by the general effort.

But under the English government all this order is reversed. The Tartar invasion was mischievous ; but it is our protection that destroys India. It was their enmity, but it is our friendship. Our conquest there, after twenty years, is as crude as it was the first day. The natives scarcely know what it is to see the gray head of an Englishman. Young men (boys almost) govern there, without society, and without sympathy with the natives. They have no more social habits with the people than if they still resided in England ; nor indeed any species of intercourse but that which is necessary to making a sudden fortune, with a view to a remote settlement. Animated with all the avarice of age, and all the impetuosity of youth,

youth, they roll in, one after another, wave after wave ; and there is nothing before the eyes of the natives but an endless, hopeless prospect of new flights of birds of prey and passage, with appetites continually renewing for a food that is continually wasting. Every rupee of profit made by an Englishman, is lost for ever to India. With us are no retributory superstition, by which a foundation of charity compensates, through ages, to the poor, for the rapine and injustice of a day. With us no pride erects stately monuments which repair the mischiefs which pride had produced, and which adorn a country out of its own spoils. England has erected no churches, no hospitals, no palaces, no schools ; England has built no bridges, made no high roads, cut no navigations, dug out no reservoirs. Every other conqueror of every other description, has left some monument, either of state or beneficence, behind him. Were we to be driven out of India this day, nothing would remain, to tell that it had been possessed, during the inglorious period of our dominion, by any thing better than the ouran-outang, or the tyger.

There is nothing in the boys we send to India worse than the boys whom we are whipping at school, or that we see trailing a pike, or bending over a desk at home. But as English youth in India drink the intoxicating draught of authority and dominion before their heads are able to bear it, and as they are fully grown in fortune long before they are ripe in principle, neither nature nor reason have any opportunity to exert themselves for remedy of the excesses of their premature power. The consequences of their conduct, which in good minds (and many of theirs are probably such) might produce penitence or amendment, are unable to pursue the rapidity of their flight. Their prey is lodged in England ; and the cries of India are given to seas and winds, to be blown about, in every breaking up of the monsoon, over a remote and unhearing ocean. In India all the vices operate, by which sudden fortune is acquired ; in England are often displayed, by the same persons, the virtues which dis-
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penſe hereditary wealth. Arrived in England, the deſtroyers of the nobility and gentry of the whole kingdom, will find the beſt company in this nation, at a board of elegance and hoſpitality. Here the manufacturer and huſbandman will bleſs the juſt and punctual hand, that in India has torn the cloth from the loom, or wreſted the ſcanty portion of rice and ſalt from the peaſant of Bengal, or wrung from him the very opium in which he forgot his oppreſſion and his oppreſſor. They marry into your families; they enter into your Senate; they eaſe your eſtates by loans; they raiſe their value by demand; they cheriſh and protect your relations, which lye heavy on your patronage; and there is ſcarcely an houſe in the kingdom that does not feel ſome concern and intereſt that makes all reform of our eaſtern government appear officious and diſguffing; and, on the whole, a moſt diſcouraging attempt. In ſuch an attempt, you hurt thoſe who are able to return kindneſs or to reſent injury. If you ſucceed, you ſave thoſe who cannot ſo much as give you thanks. All theſe things ſhew the difficulty of the work we have on hand; but they ſhew its neceſſity too. Our Indian government is, in its beſt ſtate, a grievance. It is neceſſary that the correctives ſhould be uncommonly vigorous; and the work of men ſanguine, warm, and even impaſſioned in the cauſe. But it is an arduous thing to plead againſt abuſes of a power which originates from your own country, and affects thoſe whom we are uſed to conſider as ſtrangers.

Upon the plan which I laid down, and to which I beg leave to return, I was conſidering the conduct of the Company to thoſe nations which are indirectly ſubject to their authority. The moſt conſiderable of the dependent Princes is the Nabob of Oud. My right honourable friend (Mr. Fox) to whom we owe the remedial bills on your table, has already pointed out to you, in one of the Reports, the condition of that Prince, and as it ſtood in the time he alluded to. I ſhall only add a few circumſtances that may tend to awaken ſome ſenſe of the manner in which the condition of the people is affected by that
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of the Prince, and involved in it; and to shew you, that when we talk of the sufferings of Princes, we do not lament the oppression of individuals; and that, in these cases, the high and the low suffer together.

In the year 1779, the Nabob of Oud represented, through the British Resident at his Court, that the number of the Company's troops stationed in his dominions, was a main cause of his distress; and that all those which he was not bound by treaty to maintain should be withdrawn, as they had greatly diminished his revenue, and impoverished his country. I will read to you, if you please, a few extracts from these representations.

He states, "that the country and cultivation are abandoned; and this year in particular, from the excessive drought of the season, deductions of many lacks having been allowed to the farmers, who are still left unsatisfied;" and then he proceeds with a long detail of his own distress, and that of his family, and all his dependents; and adds, "that the new-raised brigade is not only quite useless to my government, but is moreover the cause of much loss, both in revenues and customs. The detached body of troops under European officers, bring nothing *but confusion to the affairs of my government, and are entirely their own masters.*" Mr. Middleton, Mr. Hastings' confidential Resident, vouches for the truth of this representation, in its fullest extent. "I am concerned to confess, that there is too good ground for this plea. *The misfortune has been general throughout the whole of the Vizier's (the Nabob of Oud) dominions, obvious to every body; and so fatal have been its consequences, that no person, of either credit or character, would enter into engagements with government for farming the country.*" He then proceeds to give strong instances of the general calamity, and its effects.

It was now to be seen what steps the Governor General and Council took for the relief of this distressed country, long labouring under the vexations of men, and now stricken by the

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the hand of God. The case of a general famine is known to relax the severity even of the most rigorous government. Mr. Hastings does not deny, or shew the least doubt of the fact. The representation is humble, and almost abject. On this representation from a great Prince, of the distress of his subjects, Mr. Hastings falls into a violent passion; such as (it seems) would be unjustifiable in any one who speaks of any part of *his* conduct. He declares, “that the *demands*, the *tone* in which they were asserted, and the *season* in which they were made, are all equally alarming, and appear to him to require an adequate degree of firmness in this board, in *opposition* to them.”—He proceeds to deal out very unreserved language on the person and character of the Nabob, and his Ministers. He declares, that in a division between him and the Nabob, “*the strongest must decide.*” With regard to the urgent and instant necessity, from the failure of the crops, he says, “that *perhaps* expedients *may be found* for affording a *gradual* relief from the burden of which he so heavily complains, and it shall be my endeavour to seek them out:” And, lest he should be suspected of too much haste to alleviate sufferings, and to remove violence, he says, “that these must be *gradually* applied, and their complete *effect* may be *distant*; and this, I conceive, *is all* he can claim of right.”

This complete effect of his lenity is distant indeed. Rejecting this demand (as he calls the Nabob’s abject supplication) he attributes it, as he usually does all things of the kind, to the division in their government; and says, this is a powerful motive with *me* (however inclined I might be, *upon any other occasion*, to yield to some part of his demand) to give them an *absolute and unconditional refusal* upon the present; and even to *bring to punishment*, if my influence can produce that effect, those incendiaries who have endeavoured to make themselves the instruments of division between us.”

Here, Sir, is much heat and passion; but no more consideration of the distress of the country, from a failure of the means

means of subsistence, and (if possible) the worse evil of an useless and licentious soldiery, than if they were the most contemptible of all trifles. A letter is written in consequence, in such a style of lofty despotism, as, I believe, has hitherto been unexampled and unheard of in the records of the East. The troops were continued. The *gradual* relief, whose effects were to be so *distant*, has *never* been substantially and beneficially applied—and the country is ruined.

Mr. Hastings, two years after, when it was too late, saw the absolute necessity of a removal of the intolerable grievance of this licentious soldiery, which, under a pretence of defending it, held the country under military execution. A new treaty and arrangement, according to the pleasure of Mr. Hastings, took place; and this new treaty was broken in the old manner, in every essential article. The soldiery were again sent, and again let loose. The effect of all his manoeuvres, from which it seems he was sanguine enough to entertain hopes, upon the state of the country, he himself informs us, “the event has proved the *reverse* of these hopes, and *accumulation of distress, debasement, and dissatisfaction* to the Nabob, and *disappointment and disgrace* to me. Every measure (which he had himself proposed) had been *so conducted* as to give him cause of displeasure; there are no officers established by which his affairs could be regularly conducted; mean, incapable, and indigent men, have been appointed. A number of the districts without authority, and without the means of personal protection; some of them have been murdered by the Zemindars, and those Zemindars, instead of punishment, have been permitted to retain their Zemindaries, with independent authority; *all* the other Zemindars suffered to rise up in rebellion, and to insult the authority of the Sircar, without any attempt made to suppress them; and the Company’s debt, instead of being discharged by the assignments and extraordinary sources of money provided for that *purpose*, is likely to exceed even the

amount at which it stood at the time in which the arrangement with his Excellency was concluded." The House will smile at the resource on which the Directors take credit as such a certainty in their curious account.

This is Mr. Hastings's own narrative of the effects of his own settlement. This is the state of the country, which we have been told is in perfect peace and order; and, what is curious, he informs us, that *every part of this was foretold to him in the order and manner in which it happened*, at the very time he made his arrangement of men and measures.

The invariable course of the Company's policy is this:— Either they set up some Prince too odious to maintain himself without the necessity of their assistance, or they soon render him odious, by making him the instrument of their government. In that case, troops are bountifully sent to him to maintain his authority. That he should have no want of assistance, a civil gentleman, called a Resident, is kept at his Court, who, under the pretence of providing duly for the pay of these troops, gets assignments on the revenue into his hands. Under this provincial management, debts soon accumulate; new assignments are made for these debts; until, step by step, the whole revenue, and with it the whole power of the country, is delivered into his hands. The military do not behold, without a virtuous emulation, the moderate gains of the civil department. They feel that, in a country driven to habitual rebellion by the civil government, the military is necessary; and they will not permit their services to go unrewarded. Tracts of country are delivered over to their discretion. Then it is found proper to convert their commanding officers into farmers of revenue. Thus, between the well-paid civil, and well rewarded military establishment, the situation of the natives may be easily conjectured. The authority of the regular and lawful government is every where, and in every point, extinguished. Disorders and violences arise; they are repressed by other disorders and other violences.

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Wherever the collectors of the revenue, and the farming colonels and majors, move, ruin is about them, rebellion before and behind them. The people in crowds fly out of the country; and the frontier is guarded by lines of troops, not to exclude an enemy, but to prevent the escape of the inhabitants.

By these means, in the course of not more than four or five years, this once-opulent and flourishing country, which, by the accounts given in the Bengal consultations, yielded more than three crores of Sicca rupees, that is, above three millions sterling, annually, is reduced, as far as I can discover, in a matter purposely involved in the utmost perplexity, to less than one million three hundred thousand pounds, and that exacted by every mode of rigour that can be devised. To complete the business, most of the wretched remnants of this revenue are mortgaged, and delivered into the hands of the usurers at Benares, (for there alone are to be found some lingering remains of the ancient wealth of these regions) at an interest of near *thirty per cent. per annum*.

The revenues, in this manner, failing, they seized upon the estates of every person of eminence in the country, and, under the name of *resumption*, confiscated their property. I wish, Sir, to be understood universally and literally, when I assert, that there is not left one man of property and substance, for his rank, in the whole of these provinces; in provinces which are nearly the extent of England and Wales taken together. Not one landholder, not one banker, not one merchant, not one even of those who usually perish last, the *ultimum moriens* in a ruined state, no one farmer of revenue.

One country for a while remained, which stood as an island in the midst of the grand waste of the Company's dominion. My right honourable friend, in his admirable speech on moving the bill, just touched the situation, the offences, and the punishment, of a native prince, called Fizulla Khân. This man, by policy and force, had protected himself from the general ex-

tirpation of the Rohilla chiefs. He was secured (if that were any security) by a treaty. It was stated to you, as it was stated by the enemies of that unfortunate man, "that the whole of his country *is*, what the whole country of the Rohillas *was*, cultivated like a garden, without one neglected spot in it." Another accuser says, "Fizulla Khân, though a bad soldier, (that is the true source of his misfortune) has approved himself a good aumil; having, it is supposed, in the course of a few years, at least *doubled* the population and revenue of his country." In another part of the correspondence he is charged with making his country an asylum for the oppressed peasants, who fly from the territories of Oud. The improvement of his revenue, arising from this single crime, (which Mr. Hastings considers as tantamount to treason) is stated at an hundred and fifty thousand pounds a year.

Dr. Swift somewhere says, that he who could make two blades of grass grow where but one grew before, was a greater benefactor to the human race than all the politicians that ever existed. This prince, who would have been deified by antiquity, who would have been ranked with Osiris, and Bacchus, and Ceres, and the divinities most propitious to men, was, for those very merits, by name attacked by the Company's government, as a cheat, a robber, a traitor. In the same breath in which he was accused as a rebel, he was ordered at once to furnish 5000 horse. On delay, or (according to the technical phrase, when any remonstrance is made to them) "*on evasion*," he was declared a violator of treaties, and every thing he had was to be taken from him. Not one word, however, of horse in this treaty.

The territory of this Fizulla Khân, Mr. Speaker, is less than the county of Norfolk. It is an inland country, full seven hundred miles from any sea port, and not distinguished for any one considerable branch of manufacture whatsoever. From this territory a punctual payment was made to the British Resident of 150,000*l.* sterling a year. The demand
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of cavalry, without a shadow or decent pretext of right, amounted to three hundred thousand a year more, at the lowest computation; and it is stated, by the last person sent to negotiate, as a demand of little use, if it could be complied with; but that the compliance was impossible, as it amounted to more than his territories could supply, if there had been no other demand upon him—Four hundred and fifty thousand pounds a year from an inland country not so large as Norfolk!

The thing most extraordinary was, to hear the culprit defend himself from the imputation of his virtues, as if they had been the blackest offences. He extenuated the superior cultivation of his country. He denied its population. He endeavoured to prove that he had often sent back the poor peasant that sought shelter with him.—I can make no observation on this.

After a variety of extortions and vexations, too fatiguing to you, too disgusting to me, to go through with, they found “that they ought to be in a better state to warrant forcible means;” they therefore contented themselves with a gross sum of 150,000*l.* for their present demand. They offered him indeed an indemnity from their exactions in future, for 30,000*l.* more: but he refused to buy their securities, pleading (probably with truth) his poverty: but if the plea was not founded, in my opinion, very wisely; not chusing to deal any more in that dangerous commodity, the Company’s faith, and thinking it better to oppose distress and unarmed obstinacy to uncoloured exaction, than to subject himself to be considered as a cheat, if he should make a treaty in the least beneficial to himself. Thus they executed an exemplary punishment on Fizzulla Khân for the culture of his country. But, conscious that the prevention of evils is the great object of all good regulation, they deprived him of the means of increasing that criminal cultivation in future, by exhausting his coffers; and, that the population of his country should no more be a standing re-

proach and libel on the Company's government, they bound him, by a positive engagement, not to afford any shelter whatsoever to the farmers and labourers who should seek refuge in his territories, from the exactions of the British Residents in Oud. When they had done all this effectually, they gave him a full and complete acquittance from all charges of rebellion, or of any intention to rebel, or of his having originally had any interest in, or any means of rebellion.

These intended rebellions are one of the Company's standing resources. When money has been thought to be heaped up any where, its owners are universally accused of rebellion, until they are acquitted of their money and their treasons at once. The money once taken, all accusation, trial, and punishment ends. It is so settled a resource, that I rather wonder how it comes to be omitted in the Directors' account; but I take it for granted this omission will be supplied in their next edition. The Company stretched this resource to the full extent, when they accused two old women, in the remotest corner of India (who could have no possible view or motive to raise disturbances) of being engaged in rebellion, with an intent to drive out the English nation, in whose protection, purchased by money and secured by treaty, rested the sole hope of their existence. But the Company wanted money, and the old women *must* be guilty of a plot.

They were accused of rebellion, and they were convicted of wealth. Twice had great sums been extorted from them, and as often had the British faith guaranteed the remainder. A body of British troops, with one of the military farmers general at their head, was sent to seize upon the castle in which these helpless women resided. Their chief eunuchs, who were their agents, their guardians, protectors, persons of high rank, according to the Eastern manners, and of great trust, were thrown into dungeons, to make them discover their hidden treasures; and there they lie at present. The lands assigned for the maintenance of the women were seized and confiscated,

Their jewels and effects were taken, and set up to a pretended auction in an obscure place, and bought at such a price as the gentlemen thought proper to give. No account has ever been transmitted of the articles or produce of this sale. What money was obtained is unknown, or what terms was stipulated for the maintenance of these despoiled and forlorn creatures; for by some particulars it appears as if an engagement of the kind was made.

Let me here remark, once for all, that though the act of 1773 requires that an account of all proceedings should be diligently transmitted, that this, like all the other injunctions of the law, is totally despised; and that half, at least, of the most important papers are intentionally withheld.

I wish you, Sir, to advert particularly, in this transaction, to the quality and the numbers of the persons spoiled, and the instruments by whom that spoil was made. These ancient matrons, called the Begums or Princesses, were of the first birth and quality in India, the one mother, the other wife, of the late Nabob of Oud, Sujah Dowlah, a Prince possessed of extensive and flourishing dominions, and the second man in the Mogul empire. The Prince (suspicious, and not unjustly suspicious, of his son and successor) at his death committed his treasures and his family to the British faith. That family and household, consisted of *two thousand women*; to which were added, two other seraglios of near kindred, and said to be extremely numerous, and (as I am well informed) of about fourscore of the Nabob's children, with all eunuchs, the ancient servants, and a multitude of the dependents of his splendid court. These were all to be provided, for present maintenance and future establishment, from the lands assigned as dower, and from the treasures which he left to these matrons, in trust for the whole family.

So far as to the objects of the spoil. The *instrument* chosen by Mr. Hastings to despoil the reliēt of Sujah Dowlah, was *her own son*, the reigning Nabob of Oud. It was the pious

hand of a son that was selected to tear from his mother and grandmother the provision of their age, the maintenance of his brethren, and of all the ancient household of his father. [Here a laugh from some young members.] The laugh is *seasonable*, and the occasion decent and proper.

By the last advices, something of the sum extorted remained unpaid. The women in despair refuse to deliver more, unless their lands are restored, and their ministers released from prison; but Mr. Hastings and his Council, steady to their point, and consistent to the last in their conduct, write to the Resident to stimulate the son to accomplish the filial acts he had brought so near to their perfection. “We desire,” say they, in their letter to the Resident (written so late as March last) “that you will inform us if any, and what, means have been taken for recovering the balance due from the Begum [Princess] at Fizabad; and that, if necessary, you *recommend* it to the Vizier to enforce *the most effectual means* for that purpose.”

What their effectual means of enforcing demands on women of high rank and condition are, I shall shew you, Sir, in a few minutes; when I represent to you another of these plots and rebellions, which *always*, in India, though so *rarely* any where else, are the offspring of an easy condition, and hoarded riches.

Benares is the capital city of the Indian religion. It is regarded as holy by a particular and distinguished sanctity; and the Gentûs in general think themselves as much obliged to visit it once in their lives as the Mahometans to perform their pilgrimage to Mecca. By this means that city grew great in commerce and opulence; and so effectually was it secured by the pious veneration of that people, that in all violences of power, there was so sure an asylum, both for poverty and wealth, (as it were under a divine protection) that the wisest laws and best-assured free constitution could not better provide for the relief of the one, or the safety of the other; and this tranquillity influenced to the greatest degree the prosperity of
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all the country, and the territory of which it was the capital. The interest of money there was not more than half the usual rate in which it stood in all other places. The Reports have fully informed you of the means and of the terms in which this city and territory called Gazipour, of which it was the head, came under the sovereignty of the East-India Company.

If ever there was a subordinate dominion pleasantly circumstanced to the superior power, it was this: a large rent or tribute, to the amount of two hundred and sixty thousand pounds a year, was paid in monthly instalments with the punctuality of a dividend at the Bank. If ever there was a Prince who could not have an interest in disturbances, it was its sovereign, the Rajah Cheit Sing. He was in possession of the capital of his religion, and a willing revenue was paid by the devout people who resorted to him from all parts. His sovereignty and his independence, except his tribute, was secured by every tie. His territory was not much less than half of Ireland, and displayed, in all parts, a degree of cultivation, ease, and plenty, under his frugal and paternal management, which left them nothing to desire, either for honour or satisfaction.

This was the light in which this country appeared to almost every eye. But Mr. Hastings beheld it askance. Mr. Hastings tells us, that it was *reported* of this Cheit Sing, that his father left him a million sterling, and that he made annual accessions to the hoard. Nothing could be so obnoxious to indigent power. So much wealth could not be innocent. The House is fully acquainted with the unfounded and unjust requisitions which were made upon this Prince. The question has been most ably and conclusively cleared up in one of the Reports of the Select Committee, and in an answer to the Court of Directors to an extraordinary publication against them by their servant, Mr. Hastings. But I mean to pass by these exactions, as if they were perfectly just and regular;
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and, having admitted them, I take what I shall now trouble you with, only as it serves to shew the spirit of the Company's government, the mode in which it is carried on, and the maxims on which it proceeds.

Mr. Hastings, from whom I take the doctrine, endeavours to prove that Cheit Sing was no sovereign Prince; but a mere zemindar or common subject, holding land by rent. If this be granted to him, it is next to be seen under what terms he is of opinion such a landholder, that is a British subject, holds his life and property under the Company's government. It is proper to understand well the doctrines of the person whose administration has lately received such distinguished approbation from the Company. His doctrine is, "that the Company, or the *person delegated by it*, holds an *absolute* authority over such zemindars; that he (such a subject) owes an *implicit* and *unreserved* obedience to its authority, at the *forfeiture* even of his *life* and *property*, at the DISCRETION of those who held or *fully represented* the sovereign authority; and that these rights are *fully delegated to him*, Mr. Hastings."

Such is a British Governor's idea of the condition of a great zemindar holding under a British authority; and this kind of authority, he supposes, fully delegated to *him*; though no such delegation appears in any commission, instruction, or act of parliament. At his *discretion* he may demand, of the substance of any zemindar over and above his rent or tribute, even what he pleases, with a sovereign authority; and if he does not yield an *implicit*, *unreserved* obedience to all his commands, he forfeits his lands, his life, and his property, at Mr. Hastings's *discretion*. But, extravagant and even frantic as these positions appear, they are less so than what I shall now read to you; for he asserts, that if any one should urge an exemption from more than a stated payment, or should consider the deeds which passed between him and the board, "as bearing *the quality and force* of a treaty between equal states," he says, "that such an opinion is itself criminal to the state of which he is a subject,"
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and that he was himself amenable to its justice, if he gave *countenance* to such a *belief*." Here is a new species of crime invented, that of countenancing a belief; but a belief of what? A belief of that which the Court of Directors, Hastings's masters, and a Committee of this House, have decided as this Prince's indisputable right.

But supposing the Rajah of Benares to be a mere subject, and that subject a criminal of the highest form; let us see what course was taken by an upright English magistrate. Did he cite this culprit before his tribunal? Did he make a charge? Did he produce witnesses? These are not forms; they are parts of substantial and eternal justice. No, not a word of all this. Mr. Hastings concludes him, *in his own mind*, to be guilty; he makes this conclusion on reports, on hear-says, on appearances, on rumours, on conjectures, on presumptions; and even these never once hinted to the party, nor publicly to any being, till the whole business was done.

But the Governor tells you his motive for this extraordinary proceeding, so contrary to every mode of justice towards either a prince or a subject, fairly and without disguise; and he puts into your hands the key of his whole conduct: "I will suppose, for a moment, that I have acted with unwarrantable rigour towards Cheit Sing, and even with injustice. Let my MOTIVE be consulted. I left Calcutta, impressed with a belief that *extraordinary means* were necessary, and those exerted with a *steady hand*, to preserve the Company's *interests from sinking under the accumulated weight which oppressed them*. I saw a *political necessity* for curbing the *overgrown* power of a great member of their dominion, and for *making it contribute to the relief of their pressing exigencies*." This is plain speaking; after this, it is no wonder that the Rajah's wealth and his offence, the necessities of the judge, and the opulence of the delinquent, are never separated, through the whole of Mr. Hastings's apology. "The justice and *policy* of exacting a *large pecuniary mulct*." The resolution "*to draw from his guilt the means of relief*"

relief to the Company's disstresses." His determination "to make him *pay largely* for his pardon, or to execute a severe vengeance for past delinquency." That "as his *wealth was great*, and the *Company's exigencies* pressing, he thought it a measure of justice and policy to exact from him a large pecuniary mulct for *their relief*." The sum (says Mr. Wheeler, bearing evidence, at his desire, to his intentions) "to which the Governor declared his resolution to extend his fine, was forty or fifty lacks, that is, *four or five hundred thousand pounds*; and that if he refused, he was to be removed from his zemindary entirely; or by taking possession of his forts, to obtain, *out of the treasure deposited in them*, the above sum for the Company."

Crimes so convenient, crimes so politic, crimes so necessary, crimes so alleviating of distress, can never be wanting to those who use no process, and who produce no proofs.

But there is another serious part (what is not so?) in this affair. Let us suppose that the power for which Mr. Hastings contends, a power which no sovereign ever did, or can vest in any of his subjects, namely, his own sovereign authority, to be conveyed by the act of parliament to any man, or body of men, whatsoever; it certainly was never given to Mr. Hastings. The powers given by the act of 1773 were formal and official; they were given, not to the Governor General, but to the major vote of the Board, as a board, on discussion amongst themselves, in their public character and capacity; and their acts in that character and capacity were to be ascertained by records and minutes of Council. The despotic acts exercised by Mr. Hastings were done *merely* in his private character; and, if they had been moderate and just, would still be the acts of an usurped authority, and without any one of the legal modes of proceeding which could give him competence for the most trivial exertion of power. There was no proposition or deliberation whatsoever in council, no minute on record, by circulation or otherwise, to authorize his proceedings. No delegation of power to impose a fine, or take any step to de-

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prive the Rajah of Benares of his government, his property, or his liberty. The minutes of consultation assign to his journey a totally different object, duty, and destination. Mr. Wheeler, at his desire, tells us, long after, that he had a confidential conversation with him on various subjects, of which this was the principal, in which Mr. Hastings notified to him his secret intentions; “and that he *bespoke* his support of the measures which he intended to pursue towards him” (the Rajah.) This confidential discourse, and *bespeaking* of support, could give him no power, in opposition to an express act of parliament, and the whole tenour of the order of the Court of Directors.

In what manner the powers thus usurped were employed, is known to the whole world. All the House knows, that the design on the Rajah proved as unfruitful as it was violent. The unhappy prince was expelled, and his more unhappy country was enslaved and ruined; but not a rupee was acquired. Instead of treasure to recruit the Company’s finances, wasted by their wanton wars and corrupt jobs, they were plunged into a new war, which shook their power in India to its foundation, and, to use the Governor’s own happy simile, might have dissolved it like a magic structure, if the talisman had been broken.

But the success is no part of my consideration, who should think just the same of this business, if the spoil of one Rajah had been fully acquired, and faithfully applied to the destruction of twenty other Rajahs. Not only the arrest of the Rajah in his palace was unnecessary and unwarrantable, and calculated to stir up any manly blood which remained in his subjects; but the despotic style, and the extreme insolence of language and demeanour, used to a person of great condition among the politest people in the world, was intolerable. Nothing aggravates tyranny so much as contumely. *Quicquid superbia in contumeliis* was charged by a great man of antiquity, as a principal head of offence against the Governor General of
that

day. The unhappy people were still more insulted. A relation, but an *enemy* to the family, a notorious robber and villain, called Uffaun Sing, kept as a hawk in a mew, to fly upon this nation, was set up to govern there, instead of a prince honoured and beloved. But when the business of insult was accomplished, the revenue was too serious a concern to be intrusted to such hands. Another was set up in his place as guardian to an infant.

But here, Sir, mark the effect of all these *extraordinary* means, of all this policy and justice. The revenues which had been hitherto paid with such astonishing punctuality, fell into arrear. The new prince guardian was deposed without ceremony; and with as little, cast into prison. The government of that once-happy country has been in the utmost confusion ever since such good order was taken about it. But, to complete the contumely offered to this undone people, and to make them feel their servitude in all its degradation, and all its bitterness, the government of their sacred city, the government of that Benares which had been so respected by Persian and Tartar conquerors, though of the Mussulman persuasion, that, even in the plenitude of their pride, power, and bigotry, no magistrate of that sect entered the place, was now delivered over by English hands to a Mahometan; and an Ali Ibrahim Khân was introduced, under the Company's authority, with power of life and death, into the sanctuary of the Gentû religion.

After this, the taking off a slight payment, chearfully made by pilgrims to a chief of their own rights, was represented as a mighty benefit. It remains only to shew, through the conduct in this business, the spirit of the Company's government, and the respect they paid towards other prejudices not less regarded in the East than those of religion; I mean the reverence paid to the female sex in general, and particularly to women of high rank and condition. During the general confusion of the country of Gazipore, Panna, the mother of Cheit Sing, was
lodged

lodged with her train in a castle called Bidgé Gur, in which were likewise deposited a large portion of the treasures of her son, or more probably her own. To whomsoever they belonged was indifferent; for, though no charge of rebellion was made on this woman (which was rather singular, as it would have cost nothing) they were resolved to secure her with her fortune. The castle was besieged by Major Popham.

There was no great reason to apprehend that soldiers ill paid, that soldiers who thought they had been defrauded of their plunder on former services of the same kind, would not have been sufficiently attentive to the spoil they were expressly come for; but the gallantry and generosity of the profession was justly suspected, as being likely to set bounds to military rapaciousness. The Company's first civil magistrate discovered the greatest uneasiness, lest the women should have any thing preserved to them. Terms, tending to put some restraint on military violence, were granted. He writes a letter to Mr. Popham, referring to some letter written before to the same effect, which I do not remember to have seen; but it shews his anxiety on this subject. Hear himself:—"I think *every* demand she has made on you, except that of safety and respect to her person, is unreasonable. If the reports brought to me are true, your rejecting her offers, or *any negotiation*, would soon obtain you the fort upon your own terms. I apprehend she will attempt to *defraud the captors of a considerable part of their booty, by being suffered to retire without examination*. But this is your concern, not mine. I should *be very sorry* that your officers and soldiers lost *any* part of the reward to which they are so well entitled; but you must be the best judge of the *promised* indulgence to the Ranny: what you have engaged for I will certainly ratify; but as to suffering the Ranny to hold the purgunna of Hurlich, or any other zemindary, without being subject to the authority of the zemindar, or *any lands whatsoever*, or indeed making *any* condition with her for a *provision*, I will *never consent*."

Here

Here your Governor stimulates a rapacious and licentious soldiery to the personal search of women, lest these unhappy creatures should avail themselves of the protection of their sex to secure any supply for their necessities; and he positively orders that no stipulation should be made for any provision for them. The widow and mother of a prince, well informed of her miserable situation, and the cause of it, a woman of this rank became a suppliant to the domestic servant of Mr. Hastings; (they are his own words that I read;) “ imploring his intercession, that she may be relieved *from the hardships and dangers of her present situation*; and offering to surrender the fort, and the *treasure and valuable effects contained* in it, provided she can be assured *of safety and protection to her person and honour*, and to that of her family and attendants.” He is so good as to consent to this, “ provided she surrenders every thing of value, with the reserve *only* of such articles as *you* shall think *necessary* to her condition, or as *you yourself* shall be disposed to indulge her with. But should she refuse to execute the promise she has made, or delay it beyond the term of twenty-four hours, it is *my positive* injunction, that you immediately put a stop to any farther intercourse or negotiation with her, and on no pretext renew it. If she disappoints or *trifles* with me, after I have subjected *my Duan* to the disgrace of returning ineffectually, and of course myself to discredit, I shall consider it as a *wanton* affront and indignity, *which I can never forgive*; nor will I grant her *any* conditions whatever, but leave her exposed *to those* dangers which she has chosen to risk, rather than trust to the clemency and generosity of our government. I think she cannot be ignorant of these consequences, and will not venture to incur them; and it is for this reason I place a dependance on her offers, and have consented to send my Duan to her.” The dreadful secret hinted at by the merciful Governor in the latter part of the letter, is well understood in India; where those who suffer corporeal indignities, generally expiate the offences of others with their own blood.

However,

However, in spite of all these, the temper of the military did, some way or other, operate. They came to terms which have never been transmitted. It appears that a fifteenth *per cent.* of the plunder was reserved to the captives, of which the unhappy mother of the prince of Benares was to have a share. This ancient matron, born to better things—[A laugh from certain young gentlemen]—I see no cause for this mirth. A good author of antiquity reckons, among the calamities of his time, *Nobilissimarum faminarum exilia et fugas*. I say, Sir, this ancient lady was compelled to quit her house with three hundred helpless women, and a multitude of children in her train; but the lower fort in the camp, it seems, could not be restrained. They did not forget the good lessons of the Governor General. They were unwilling “to be defrauded of a considerable part of their booty, by suffering them to pass without examination.” They examined them, Sir, with a vengeance; and the sacred protection of that awful character, Mr. Hastings’s *maitre d’hotel*, could not secure them from insult and plunder. Here is Popham’s narrative of the affair:—“The Ranni came out of the fort, with her family and dependants, the 10th, at night, owing to which, such attention was not paid to her as I wished; and I am exceedingly sorry to inform you, that the licentiousness of our followers was beyond the bounds of control; for, notwithstanding all I could do, her people were plundered on the road of most of the things which they brought out of the fort, by which means one of the articles of surrender has been much infringed. The distress I have felt upon this occasion cannot be expressed, and can only be allayed by a firm performance of the other articles of the treaty, which I shall make it my business to enforce.”

After this comes, in his due order, Mr. Hastings, who is full of sorrow and indignation, &c. &c. &c. according to the best and most authentic precedents established upon such occasions.

A great master, Mr. Hastings, has himself been at the pains of drawing a picture of one of these countries; I mean the province and city of Farruckabad. There is no reason to question his knowledge of the facts; and his authority (on this point at least) is above all exception, as well for the state of the country, as for the cause. In this minute of consultation, Mr. Hastings describes forcibly the consequences which arise from the degradation into which we have sunk the native government. "The total want (says he, of all order, regularity, or authority, in his (the Nabob of Farruckabad's) government, and to which, among other obvious causes, it may no doubt be owing, that the country of Farruckabad is become *almost an entire waste, without cultivation or inhabitants*; that the capital, which, but a very short time ago, was distinguished as one of the most populous and opulent commercial cities in Hindostan, at present exhibits nothing but *scenes of the most wretched poverty, desolation, and misery*; and that the Nabob himself, though in the possession of a tract of country, which, with only common care, is notoriously capable of yielding an annual revenue of between thirty and forty lacks, (three or four hundred thousand pounds) with *no military establishment* to maintain, scarcely commands *the means of a bare subsistence*."

This is a true and unexaggerated picture, not only of Farruckabad, but of at least three-fourths of the country which we possess, or, rather, lay waste, in India. Now, Sir, the House will be desirous to know for what purpose this picture was drawn. It was for a purpose, I will not say laudable, but necessary, that of taking the unfortunate prince and his country out of the hands of a sequestrator sent thither by the Nabob of Oud, the mortal enemy of the prince thus ruined, and to protect him by means of a British Resident, who might carry his complaints to the superior Resident at Oud, or transmit them to Calcutta. But mark how the reformer persisted in his reformation. The effect of the measure was better than was probably expected. The prince began to be at ease; the
country

country began to recover; and the revenue began to be collected. These were alarming circumstances. Mr. Hastings not only recalled the Resident, but he entered into a formal stipulation with the Nabob of Oud, never to send an English subject again to Farruckabad: and thus the country, described as you have heard by Mr. Hastings, is given up for ever to the very persons to whom he had attributed its ruin, that is, to the Sezawals or sequestrators of the Nabob of Oud.

It is only to complete the view I proposed of the conduct of the Company, with regard to the dependent provinces, that I shall say *any* thing at all of the Carnatic, which is the scene, if possible, of greater disorder than the northern provinces. Perhaps it were better to say of this center and metropolis of abuse, whence all the rest in India and in England diverge, from whence they are fed and methodized, what was said of Carthage, —*de Carthagine satius est filere quam parum dicere*. This country, in all its denominations, is about 46,000 square miles. It may be affirmed universally, that not one person of substance or property, landed, commercial, or monied, excepting two or three bankers, who are necessary deposits and distributors of the general spoil, is left in all that region. In that country the moisture, the bounty of Heaven, is given but at a certain season. Before the æra of our influence, the industry of man carefully husbanded that gift of God. The Gentûs preserved, with a provident and religious care, the precious deposit of the periodical rain in reservoirs, many of them works of royal grandeur; and from these, as occasion demanded, they fructified the whole country. To maintain these reservoirs, and to keep up an annual advance to the cultivators, for seed and cattle, formed a principal object of the piety and policy of the priests and rulers of the Gentû religion.

This object required a command of money; and there was no Pollam or castle which, in the happy days of the Carnatic, was without some hoard of treasure, by which the governors

were enabled to combat with the irregularity of the seasons, and to resist or to buy off the invasion of an enemy. In all the cities were multitudes of merchants and bankers for all occasions of monied assistance; and, on the other hand, the native princes were in condition to obtain credit from them. The manufacturer was paid by the return of commodities, or by imported money, and not, as at present, in the taxes that had been originally exacted from his industry. In aid of casual distress, the country was full of choultries, which were inns and hospitals, where the traveller and the poor were relieved. All ranks of people had their place in the public concern, and their share in the common stock and common prosperity; but *the chartered rights of men*, and the right which it was thought proper to set up in the Nabob of Arcot, introduced a new system. It was their policy to consider hoards of money as crimes; to regard moderate rents as frauds on the sovereign; and to view, in their lesser princes, any claim of exemption from more than settled tribute, as an act of rebellion. Accordingly all the castles were, one after the other, plundered and destroyed. The native princes were expelled; the hospitals fell to ruin; the reservoirs of water went to decay; the merchants, bankers, and manufacturers, disappeared; and sterility, indigence, and depopulation, overspread the face of these once-flourishing provinces.

The Company was very early sensible of these mischiefs, and of their true cause. They gave precise orders, "That the native princes, called Polygars, should *not be extirpated*. That the rebellion (so they chose to call it) of the Polygars, may, they fear, *with too much justice*, be attributed to the mal-administration of the Nobob's collectors." That "they observe with concern, that their troops have been put to *disagreeable services*." They might have used a stronger expression without impropriety. But they make amends in another place. Speaking of the Polygars, the Directors say, that "it was repugnant to humanity to *force* them to such dreadful extremities

tremities as they underwent." That some examples of severity might be necessary, "when they fell into the Nabob's hands," and not by the destruction of the country. "That they fear his government is none of the mildest; and that there is great oppression in collecting his revenues." They state, that the wars in which he has involved the Carnatic, had been a cause of its distresses. "That these distresses have been certainly great; but those by the Nabob's oppression we believe to be greater than all." Pray, Sir, attend to the reason for their opinion, that the government of this their instrument is more calamitous to the country than the ravages of war. Because, say they, his oppressions are "without intermission. The others are temporary; by all which oppressions we believe the Nabob has great wealth in store." From this store neither he nor they could derive any advantage whatsoever, upon the invasion of Hyder Ali in the hour of their greatest calamity and dismay.

It is now proper to compare these declarations with the Company's conduct. The principal reason which they assigned against the *extirpation* of the Polygars was, that the *weavers* were protected in their fortresses. They might have added, that the Company itself, which stung them to death, had been warmed in the bosom of these unfortunate princes: for, on the taking of Madras by the French, it was in their hospitable Pollams, that most of the inhabitants found refuge and protection. But, notwithstanding all these orders, reasons, and declarations, they at length gave an indirect sanction, and permitted the use of a very direct and irresistible force, to measures which they had, over and over again, declared to be false policy, cruel, inhuman, and oppressive. Having, however, forgot all attention to the princes and the people, they remembered that they had some sort of interest in the trade of the country; and it is matter of curiosity to observe the protection which they afforded to this their natural object.

Full of anxious cares on this head, they direct, "that in reducing the Polygars, they (their servants) were to be *cautious*, not to deprive the *weavers and manufacturers* of the protection they often met with in the strong holds of the Polygar countries;" and they write to their instrument, the Nabob of Arcot, concerning these poor people in a most pathetic strain. "We *entreat* your Excellency, say they, in particular, to make the manufacturers the object of your *tenderest care*; particularly when you *root out* the Polygars, you do not deprive the *weavers of the protection they enjoyed under them*." When they root out the protectors in favour of the oppressor, they shew themselves religiously cautious of the rights of the protected. When they extirpate the shepherd and the shepherd's dogs, they piously recommend the helpless flock to the mercy, and even to the *tenderest care*, of the wolf. This is the uniform strain of their policy, strictly forbidding, and at the same time strenuously encouraging and enforcing, every measure that can ruin and desolate the country committed to their charge. After giving the Company's idea of the government of this their instrument, it may appear singular, but it is perfectly consistent with their system, that, besides wasting for him, at two different times, the most exquisite spot upon the earth, Tanjore, and all the adjacent countries, they have even voluntarily put their own territory, that is, a large and fine country adjacent to Madras, called their Jaghire, wholly out of their protection; and have continued to farm their subjects, and their duties towards these subjects, to that very Nabob, whom they themselves constantly represent as an habitual oppressor, and a relentless tyrant. This they have done without any pretence of ignorance of the objects of oppression for which this prince has thought fit to become their renter; for he has again and again told them, that it is for the sole purpose of exercising authority he holds the Jaghire lands; and he affirms, and I believe with truth, that he pays more for that territory than the revenues yield. This deficiency he must make up
from

from his other territories; and thus, in order to furnish the means of oppressing one part of the Carnatic, he is led to oppress all the rest.

And now I ask, whether, with this map of misgovernment before me, I can suppose myself bound by my vote to continue, upon any principles of pretended public faith, the management of these countries in those hands. If I kept such a faith (which in reality is no better than a *fides latronum*) with what is called the Company, I must break the faith, the covenant, the solemn, original, indispensable oath, in which I am bound, by the eternal frame and constitution of things, to the whole human race.

As I have dwelt so long on these who are indirectly under the Company's administration, I will endeavour to be a little shorter upon the countries immediately under this charter government. These are the Bengal provinces. The condition of these provinces is pretty fully detailed in the Sixth and Ninth Reports, and in their Appendixes. I will select only such principles and instances as are broad and general. To your own thoughts I shall leave it, to furnish the detail of oppressions involved in them. I shall state to you, as shortly as I am able, the conduct of the Company: first, towards the landed interests; next, the commercial interests; thirdly, the native government; and lastly, to their own government.

Bengal, and the provinces that are united to it, are larger than the kingdom of France; and once contained, as France does contain, a great and independent landed interest, composed of princes, of great lords, of a numerous nobility and gentry, of freeholders, of lower tenants, of religious communities, and public foundations. So early as 1769, the Company's servants perceived the decay into which these provinces had fallen under English administration, and they made a strong representation upon this decay, and what they apprehended to be the causes of it. Soon after Mr. Hastings became president of Bengal. Instead of administering a remedy, upon the heels

of a dreadful famine, in the year 1772, the succour which the new President and the Council lent to this afflicted nation, was,—shall I be believed in relating it? The landed interest of a whole kingdom, of a kingdom to be compared to France, was set up to public auction! They set up (Mr. Hastings set up) the whole nobility, gentry, and freeholders, to the highest bidder. No preference was given to the ancient proprietors. They must bid against every usurer, every temporary adventurer, every jobber and schemer, every servant of every European, or they were obliged to content themselves, in lieu of their extensive domains, with their house, and such a pension as the state auctioneers thought fit to assign. In this general calamity, several of the first nobility thought, and in all appearance justly, that they had better submit to the necessity of this pension, than continue, under the name of Zemindars, the objects and instruments of a system, by which they ruined their tenants, and were ruined themselves. Another reform has since come upon the back of the first; and a pension having been assigned to these unhappy persons, in lieu of their hereditary lands, a new scheme of œconomy has taken place, and deprived them of that pension.

The menial servants of Englishmen, persons (to use the emphatical phrase of a ruined and patient Eastern chief) “*whose fathers they would not have set with the dogs of their flock,*” entered into their patrimonial lands. Mr. Hastings’s banian was, after this auction, found possessed of territories yielding a rent of one hundred and forty thousand pounds a year.

Such an universal proscription, upon any pretence, has few examples. Such a proscription, without even a pretence of delinquency, has none. It stands by itself. It stands as a monument to astonish the imagination, to confound the reason of mankind. I confess to you, when I first came to know this business in its true nature and extent, my surprise did a little suspend my indignation. I was in a manner stupified by the
desperate

desperate boldness of a few obscure young men, who, having obtained, by ways which they could not comprehend, a power, of which they saw neither the purposes nor the limits, tossed about, subverted, and tore to pieces, as if it were in the gambols of a boyish unluckiness and malice, the most established rights, and the most ancient and most revered institutions, of ages and nations. Sir, I will not now trouble you with any detail with regard to what they have since done with these same lands and landholders; only to inform you, that nothing has been suffered to settle for two seasons together upon any basis; and that the levity and inconstancy of these mock legislators were not the least afflicting parts of the oppressions suffered under their usurpation; nor will any thing give stability to the property of the natives, but an administration in England at once protecting and stable. The country sustains, almost every year, the miseries of a revolution. At present, all is uncertainty, misery, and confusion. There is to be found through these vast regions no longer one landed man, who is a resource for voluntary aid, or an object for particular rapine. Some of them were, not long since, great princes; they possessed treasures, they levied armies. There was a zemindar in Bengal, (I forget his name) that, on the threat of an invasion, supplied the Soubah of these provinces with the loan of a million sterling. The family this day wants credit for a breakfast at the bazar.

I shall now say a word or two on the Company's care of the commercial interest of those kingdoms. As it appears in the Reports, that persons in the highest stations in Bengal have adopted, as a fixed plan of policy, the destruction of all intermediate dealers between the Company and the manufacturer, native merchants have disappeared of course. The spoil of the revenues is the sole capital which purchases the produce and manufactures; and through three or four foreign companies transmits the official gains of individuals to Europe. No other commerce has an existence in Bengal. The transport of its
plunder

plunder is the only traffic of the country. I wish to refer you to the Appendix to the Ninth Report for a full account of the manner in which the Company have protected the commercial interests of their dominions in the East.

In effect, Sir, every legal, regular authority in matters of revenue, of political administration, of criminal law, of civil law, in many of the most essential parts of military discipline, is laid level with the ground; and an oppressive, irregular, capricious, unsteady, rapacious, and peculating despotism, with a direct disavowal of obedience to any authority at home, and without any fixed maxim, principle, or rule of proceeding, to guide them in India, is at present the state of your charter government over great kingdoms.

As the Company has made this use of their trust, I should ill discharge mine, if I refused to give my most cheerful vote for the redress of these abuses, by putting the affairs of so large and valuable a part of the interests of this nation, and of mankind, into some steady hands, possessing the confidence, and assured of the support of this House, until they can be restored to regularity, order, and consistency.

I have touched the heads of some of the grievances of the people, and the abuses of government. But I hope and trust you will give me credit, when I faithfully assure you, that I have not mentioned one fourth part of what has come to my knowledge in your Committee; and farther, I have full reason to believe, that not one fourth part of the abuses are come to my knowledge, by that or by any other means. Pray consider what I have said only as an index to direct you in your inquiries.

If this then, Sir, has been the use made of the trust of political powers internal and external, given by you in the charter, the next thing to be seen is the conduct of the Company with regard to the commercial trust. And here I will make a fair offer:—If it can be proved that they have acted wisely, prudently, and frugally, as merchants, I shall pass by the whole
mass

mass of their enormities as Statesmen. That they have not done this, their present condition is proof sufficient. Their distresses are said to be owing to their wars. This is not wholly true. But if it were, is not that readiness to engage in wars which distinguishes them, and for which the Committee of Secrecy has so branded their politics, founded on the falsest principles of mercantile speculation? [This he illustrated by various instances, and concluded thus:] Now I ask, whether they have ever calculated the clear produce of any given sales, to make them tally with the four million of bills which are come and coming upon them, so as, at the proper periods, to enable the one to liquidate the other? No, they have not. They are now obliged to borrow money of their own servants to purchase their investment. The servants stipulate five per cent. on the capital they advance, if their bills should not be paid at the time when they become due; and the value of the rupee on which they charge this interest is taken at two shillings and a penny. Has the Company ever troubled themselves to inquire whether their sales can bear the payment of that interest, and at that rate of expence? Have they once considered the dilemma in which they are placed; the ruin of their credit in the East Indies, if they refuse the bills; the ruin of their credit and existence in England, if they accept them? Indeed no trace of equitable government is found in their politics; not one trace of commercial principle in their mercantile dealing; and hence is the deepest and maturest wisdom of Parliament demanded, and the best resources of this kingdom must be strained to restore them; that is, to restore the countries destroyed by the misconduct of the Company, and to restore the Company itself, ruined by the consequences of their plans for destroying what they were bound to preserve.

If they had not constantly been apprized of all the enormities committed in India under their authority; if this state of things had been as much a discovery to them as it was to many of us, we might flatter ourselves that the detection of the abuses

abuses would lead to their reformation. I will go farther: if the Court of Directors had not uniformly condemned every act which this House or any of its Committees had condemned; if the language in which they expressed their disapprobation against enormities and their authors had not been much more vehement and indignant than any ever used in this House, I should entertain some hopes. If they had not, on the other hand, as uniformly commended all their servants who had done their duty and obeyed their orders, as they had heavily censured those who rebelled, I might say, These people have been in an error, and when they are sensible of it, they will mend. But when I reflect on the uniformity of their support to the objects of their uniform censure; and the state of insignificance and disgrace to which all of those have been reduced whom they approve; and that even utter ruin and premature death have been among the fruits of their favour; I must be convinced, that in this case, as in all others, hypocrisy is the only vice that never can be cured.

Attend, I pray you, to the situation and prosperity of Penfield, Hastings, and others of that sort. The last of these has been treated by the Company with an asperity of reprehension that has no parallel. They lament, "that the power of disposing of their property for perpetuity should fall into such hands." Yet for fourteen years, with little interruption, he has governed all their affairs, of every description, with an absolute sway. He has had himself the means of heaping up immense wealth; and, during that whole period, the fortunes of hundreds have depended on his smiles and frowns. He himself tells you he is incumbered with two hundred and fifty young gentlemen, some of them of the best families in England, all of whom aim at returning with vast fortunes to Europe in the prime of life. He has then two hundred and fifty of your children as his hostages for your good behaviour; and loaded for years, and he has been, with the execrations of the natives, with the censures of the Court of Directors, and struck and

blasted

blasted with resolutions of this House, he still remains the most despotic power known in India. He domineers with an overbearing sway in the assemblies of his pretended masters; and it is thought in a degree rash to venture to name his offences in this House, even as grounds of a legislative remedy.

On the other hand, consider the fate of those who have met with the applauses of the Directors. Colonel Monson, one of the best of men, had his days shortened by the applauses, destitute of the support, of the Company. General Clavering, whose panegyric was made in every dispatch from England, whose hearse was bedewed with the tears, and hung round with eulogies of the Court of Directors, burst an honest and indignant heart at the treachery of those who ruined him by their praises. Uncommon patience and temper supported Mr. Francis a while longer under the baneful influence of the commendation of the Court of Directors. His health however gave way at length; and, in utter despair, he returned to Europe. At his return the doors of the India House were shut to the man, who had been the object of their constant admiration. He has indeed escaped with life, but he has forfeited all expectation of credit, consequence, party, and following. He may well say, *Me nemo ministro fur erit, atque ideo nulli comes exes*. This man, whose deep reach of thought, whose large legislative conceptions, and whose grand plans of policy, make the most shining part of our Reports, from whence we have all learned our lessons, if we have learned any good ones; this man, from whose materials those gentlemen who have least acknowledged it have yet spoken as from a brief; this man, driven from his employment, discountenanced by the Directors, has had no other reward, and no other distinction, but that inward "sunshine of the soul" which a good conscience can always bestow upon itself. He has not yet had so much as a good word, but from a person too insignificant to make any other return for the means with which he has been furnished

nished for performing his share of a duty which is equally urgent on us all.

Add to this, that from the highest in place to the lowest, every British subject, who, in obedience to the Company's orders, has been active in the discovery of peculations, has been ruined. They have been driven from India. When they made their appeal at home they were not heard. When they attempted to return they were stopped. No artifice of fraud, no violence of power, has been omitted, to destroy them in character as well as in fortune.

Worse, far worse, has been the fate of the poor creatures, the natives of India, whom the hypocrisy of the Company has betrayed into complaint of oppression, and discovery of speculation. The first women in Bengal, the Ranni of Rajeshahi, the Ranni of Burdwan, the Ranni of Amboa, by their weak and thoughtless trust in the Company's honour and protection, are utterly ruined: the first of these women, a person of princely rank, and once of correspondent fortune, who paid above two hundred thousand a year quit-rent to the State, is, according to very credible information, so completely beggared as to stand in need of the relief of alms. Mahomed Reza Khân, the second Mussulman in Bengal, for having been distinguished by the ill-omened honour of the countenance and protection of the Court of Directors, was, without the pretence of any inquiry whatsoever into his conduct, stripped of all his employments, and reduced to the lowest condition. His ancient rival for power, the Rajah Nundcomar, was, by an insult on every thing which India holds respectable and sacred, hanged in the face of all his nation, by the judges you sent to protect that people; hanged for a pretended crime, upon an *ex post facto* British act of Parliament, in the midst of his evidence against Mr. Hastings. The accuser they saw hanged. The culprit, without acquittal or inquiry, triumphs on the ground of that murder; a murder not of Nundcomar only, but of all living testimony, and even of evidence yet unborn. From that time, not a complaint has been heard from
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the natives against the Governors. All the grievances of India have found a complete remedy.

Men will not look to acts of Parliament, to regulations, to votes, and resolutions. No; they are not such fools. They will ask, what is the road to power, credit, wealth, and honours? They will ask, what conduct ends in neglect, disgrace, poverty, exile, prison, and gibbet? These will teach them the course which they are to follow. It is your distribution of these that will give the character and tone to your government. All the rest is miserable grimace.

This, Sir, has been their conduct; and it has been the result of the alteration which was insensibly made in their constitution. The change was made insensibly; but it is now strong and adult, and as public and declared, as it is fixed beyond all power of reformation. So that there is none who hears me, that is not-as certain as I am, that the Company, in the sense in which it was formerly understood, has no existence. The question is, what injury you may do to the Proprietors of India stock; for there are no such men to be injured. If the active ruling part of the Company who form the general court, who fill the offices, and direct the measures (the rest tell for nothing) were persons who held their stock as a means of their subsistence, who in the part they took were only concerned in the government of India, for the rise or fall of their dividend, it would be indeed a defective plan of policy. The interest of the people who are governed by them would not be their primary object; perhaps a very small part of their consideration at all. But then they might well be depended on, and, perhaps, more than persons in other respects preferable, for preventing the peculations of their servants to their own prejudice. Such a body would not easily have left their trade as a spoil to the avarice of those who received their wages. But now things are totally reversed. The stock is of no value, whether it be the qualification of a Director or Proprietor; and it is impossible that it should. A Director's qualification
may

may be worth about two thousand five hundred pounds—and the interest, at eight per cent. is about one hundred and sixty pounds a year. Of what value is that, whether it rise to ten, or fall to six, or to nothing, to him whose son, before he is in Bengal two months, and before he descends the steps of the Council Chamber, sells the grant of a single contract for forty thousand pounds? Accordingly the stock is bought up in qualifications. The vote is not to protect the stock, but the stock is bought to acquire the vote; and the end of the vote is to cover and support, against justice, some man of power who has made an obnoxious fortune in India; or to maintain in power those who are actually employing it in the acquisition of such a fortune; and to avail themselves in return of his patronage, that he may shower the spoils of the East, “barbaric pearl and gold,” on them, their families, and dependents. So that all the relations of the Company are not only changed, but inverted. The servants in India are not appointed by the Directors, but the Directors are chosen by them. The trade is carried on with their capitals. To them the revenues of the country are mortgaged. The seat of the supreme power is in Calcutta. The house in Leadenhall Street is nothing more than a change for their agents, factors, and deputies, to meet in, to take care of their affairs, and support their interests; and this so avowedly, that we see the known agents of the delinquent servants marshalling and disciplining their forces, and the prime spokesmen in all their assemblies.

I therefore conclude, what you all must conclude, that this body, being totally perverted from the purposes of its institution, is utterly incorrigible; and because they are incorrigible, both in conduct and constitution, power ought to be taken out of their hands; just on the same principles on which have been made all the just changes and revolutions of government that have taken place since the beginning of the world.

Mr. Burke, Dec. 1, 1783.

Mr.

MR. SPEAKER, I rise with the deepest anxiety to endeavour to prevent the farther progress of this bill; because, in my opinion, it destroys the ancient, established forms of all parliamentary proceedings in this House, violates the national faith, subverts every principle of justice and equity, and gives a mortal stab to this free Constitution. Sir, the forms of proceeding in this House were wisely established by our ancestors, after the most mature deliberation, as a guard against surprise by any Ministers, and to give our constituents timely information of what was doing in Parliament, that the collected wisdom of the nation might be appealed to, and known, on every occasion of moment. This accounts for the slowness of our proceedings, compared with the mode of passing bills in the other House of Parliament. Their Lordships have no constituents, whom it is a duty to consult. In the progress of this bill, the invariable rules and orders of the House have been set aside without the least shadow of necessity, almost without the slightest pretence; and the bill continues to be hurried on with indecent haste. When the right honourable Secretary moved for leave to bring in a bill for the better regulation of the East-India Company, he stated the desperate condition of the Company's finances as the sole ground on which he stood. He represented it as a case of absolute and immediate necessity for the interposition of the Legislature. He expressly disclaimed every other motive, although he invidiously went at large into every supposed delinquency of Mr. Hastings, and almost every other servant of the Company, for many years. He did not, indeed, in terms assert, that the Company were in a state of bankruptcy, but he declared, that they owed five millions more than they were able to pay, and went into a variety of accounts, without any attempt at the smallest proof of what he advanced, or calling for a single paper, in so great a variety of matter. He pledged himself for the most scrupulous accuracy, yet, in the very moment, forgot to give the Company credit for an immense floating pro-

any lawyer to shew me an act of confiscation more forcibly drawn. The words of the fourth clause of this bill are, "The Directors of the said United Company, and all other officers and ministers, and servants thereof, are hereby enjoined, immediately upon the requisition of the said Commissioners, signified under their hands and seals, to deliver up to them, (the new Commissioners) or to such person or persons as they shall for that purpose appoint, all such lands, tenements, houses, warehouses, buildings, books, records, documents, charters, acts, instruments, papers, ships, vessels, goods, wares, and merchandises, money, securities for money, and all other effects whatsoever." Imagination is at a loss even to guess at the most insignificant trifle, which has here escaped the harpy claws of a ravenous coalition. One idea, indeed, generally precedes the word confiscation, and that is guilt. In the present instance, no crime whatever has been alledged. The argument of the right honourable Secretary for the bill, was the actual poverty of the Company; the real motive we all know is the certainty of the present spoils, with future accruing wealth and immense patronage, to enrich an Indian heptarchy of his creation, and, through his tame viceroys, the Trincalo viceroys of Asia.

In the bill, Sir, as drawn and presented to the House by the right honourable Secretary, there is no clause inserted of any trust created for the benefit of the Proprietors. In the Committee, indeed, the words have been added, "in trust for, and for the benefit of, the Proprietors;" but in case of the grossest abuse of trust, to whom is the appeal? To the Proprietors? No, Sir, they are to have no farther concern with their own property. Is it not, then, confiscated? The appeal is to a majority in either House of Parliament, which the most driveling Minister could not fail to secure with a patronage of above two millions sterling given by this bill.

Sir, the bill is said not to be a bill of disfranchisement, because it does not take from the Proprietors their right to an
exclusive

exclusive trade or monopoly. Was this monopoly the only franchise of the Proprietors? There is property in this kingdom to which a franchise is annexed. The franchise may be taken away, yet the property remain. To a freedom, for instance, is annexed a right of voting for members of Parliament. We have seen that franchise taken away, and yet the freehold remained untouched; but surely the freeholder loudly and justly complained of the disfranchisement. The case is parallel as to East-India stock. Persons possessed of stock to a certain amount, are entitled to vote for the appointment of their servants, both at home and abroad, to manage their property, in which they are always clear sighted, to direct and superintend all their concerns, with a general power of control. This, surely, is a most valuable franchise; it was understood to be purchased with the stock. The purchase money was more considerable from this intrinsic value, which it was supposed to possess. The franchise is to be taken away by the bill, and yet one gentleman amongst us can assert, that the East-India Proprietors will not be disfranchised. God forbid the people of England should have many such defenders of their franchises and liberties in a House of Commons!

If the House, Sir, will attend to what has passed since the introduction of this bill among us, they will see, that if we mean to preserve our ancient parliamentary forms of proceeding, we cannot suffer the farther progress of this bill. — When leave was moved for its introduction, the right honourable Secretary, as the sole motive of his conduct, gave an alarming account of the desperate state of the finances of the Company. He painted in the darkest colours the state of their debts and incumbrances, which he made amount to several millions. A worthy member of this House, (Mr. Samuel Smith) a Director of the East-India Company, flatly contradicted the assertions of the Secretary, and pledged himself to prove the unfairness of all his calculations. The Company have since given to the public a very different state of their affairs. It comes authenticated by every proper authority, Nathaniel

Smith, Esq. Chairman of the East-India Company, John Annis, Auditor of Indian Accounts, and Samuel Nicholl Accountant. These accounts we may examine at our leisure and scrutinise with the most minute exactness. We have a clear "statement of the debts, credits, and effects of the East-India Company," carried up to December 1, 1783. But where is the account of the right honourable Secretary to be found? That does not admit of such a scrutiny: that is authenticated by no signature, nor proved by any paper on our table. No two persons in this House agree to-day in the particulars of the long, laboured harrangue of yesterday. There is a precision in what is thrown on paper, but then it is liable to detection, and even seems to invite an acute examination. Here then, Sir, the honour and justice of this House are deeply concerned. One member brings forward a bold assertion of various facts, on the truth of which he asks leave to bring in a very harsh and severe bill, to use no more violent expression. Another member, more immediately concerned, having the proofs daily under his eye, denies the truth of every proposition advanced by the member who moved for the bill, and dares him to the proof at your bar. Here can be no deception. The challenge is perfectly fair. No demonstration can be superior to that drawn from figures. The challenge, however, is declined. No proof whatever is offered in support of the bill. The case then is at issue, and every principle of justice forbids us to proceed till the facts are ascertained, till we know whether a real necessity exists, or whether it is made the pretence to colour a deep-laid plan of ambition, wealth, and power.—The forms of Parliament are first to be sacrificed, and then its independency.

This bill, Sir, appears to me to violate the national faith in a high degree, for it annihilates the charter of the East-India Company, purchased of the public, and secured by the sanction of Parliament. The violation of the American charters, which has been followed by the loss of our empire

in the West, would have deterred any Ministers less rash, less impetuous, from this dangerous experiment of tampering with charters. Not a corporation in the kingdom, not a charter, not the Great Charter of our liberties, not a deed, not a contract, not a document, not a security, no species of property, can be safe against unprincipled men, acting thus in the plenitude and wantonness of power. This charter did not owe its birth to the foolish prepossessions or mad prodigality of any of the Plantagenets, Tudors, or Stuarts, in favour of their servile courtiers or interested dependents. It was a fair purchase made of the public, an equal compact for reciprocal advantages between the nation at large and the body of the Proprietors. The purchase money has been actually received by the public, and, consequently, the Proprietors have a just claim to what was stipulated in their favour. I agree, Sir, that there is no charters which may not be forfeited from delinquency, but the charter of the city of London, for they are excepted by an express act of our glorious Deliverer, from the necessity of preserving the peace of the capital; but no delinquency of any kind is now made a charge against the East-India Directors, Proprietors, or any of their servants. The distress of their circumstances alone was alledged as warranting such a bill. I am very ready to admit, that the servants of the Company have been guilty of the most enormous crimes in the East. Is that a reason for punishing the Directors and Proprietors in Leadenhall Street? Has the least degree of guilt been imputed to them? I wish rather to add to their powers over their own servants, and then I am satisfied that guilt of the deepest dye would speedily be followed with the most exemplary punishment. I see no objection to giving the Directors most of the powers of this bill. It would be highly politic. Let me state to the recollection of the House a recent transaction, in which the interest of the Company and the national honour were deeply wounded. When, after every possible delay, the authors of the late revolution at Madras, and the subsequent

murder of Lord Pigot, were brought into an English court of justice, and a jury pronounced them guilty, what was the sentence? A trifling mulct, and not an hour's imprisonment. The fine which they paid in court was scarcely a fiftieth part of the spoils of a wicked usurpation of the supreme government, both civil and military, followed by the death of the Governor. The public were insulted, even in the hour of trial, by a vain ostentation of what the criminals were prepared to have disgorged, before the fears of their troubled consciences were quieted by a solemn mockery of justice. Such a conduct marked the partial and feeble hand of the law at home; for surely, Sir, such crimes called for severity to deter future delinquents. They may from this lenity learn with perfect safety, and immense profit, to perpetrate the trifling crimes of mutiny, rebellion, and murder.

I have no objection, I confess, to restraining the East-India Company to the primary object of their charter, to their original views of commerce. I little relish the idea of a few merchants governing, as sovereigns, the three powerful states of Bengal, Bahar, and Orissa. It is totally inconsistent with political order, and the subordination of British subjects. The Jesuits were justly expelled from almost every government in the old and new world, not from a system of silly tenets, which not one in a hundred of them believed, but from their establishing the *imperium in imperio*, which no state ever suffered with impunity. I venerate the wise maxim of a commercial policy, that, while it is adding to the national wealth, forms an invincible bulwark by the strength of a powerful navy; but I detest a scandalous, heterogeneous traffic of war and trade, plunder and commerce, speculation and murder, extortion, rapine, and corruption. The national character has been lost in Hindostan. Provinces and kingdoms have been bought and sold by the Asiatic Generals and Governors of the Company, against the strongest orders of the Directors and Proprietors, and the lives of some of the most harmless Princes

who

ever reigned, set to sale. The mischief soon reaches Europe, and we experience at home all the calamities which Rome suffered in the declension of her empire, and from the same quarter, from the East. We are ruined by the luxury and venality of our own despicable offspring, and all the vices of the East, which they propagate here too successfully, when they return to purchase protection and indemnity for their crimes. I therefore, Sir, highly approve a bill for the government of the territorial possessions and revenues of India, which ought to depend on the State; but the regulation of all commercial concerns, I shall ever think, ought to rest with the Proprietors and Directors. This is their province; to this they are as competent as they are inadequate to dominion and the care of empires.

Sir, I look upon this bill as the bitter fruits of the coalition. After the fatal consequences of the noble Lord's attack on the American charters, I cannot think he would have ventured on this direct violation of the franchises and property of a great Company, if he had not been in impious league with so daring a colleague. Not a man who hears me can believe that such a bill had ever appeared, if the wordy war had gone on between the two Secretaries. The noble Lord, indeed, has made some former faint attempts, and, for a good while, cast a longing eye on the fair prey, but he dreaded his opponent. When he had secured a fit accomplice, the plan and share of the plunder was adjusted, and the robbing of the East-India Company resolved. The *Duumvira, auro, argento, ære, not flando or feriundo, but rapiundo*, proceeded by the bill to the seizure and confiscation of all monies, securities for money, goods, wares, merchandises, &c. &c. &c. with as little scruple as in elder times any *triumvirate* or *decemvirate* ever used.

I protest, Sir, I do not feel the least personality against either of the members of the coalition; but I dread the monstrous, unnatural union of such incongruous, discordant particles, because they could only be brought to coalesce for the division of

the public spoils, for the sharing of all power among themselves, to the destruction of the public liberty, and the independency of this House. I believe that the noble Lord possesses the most perfect personal integrity. His own probity is unblemished; but a lust of power, and an unlucky indolence of temper, combined to make him, through the course of the last war, connive at almost every man in every department fleeing the public beyond the example of all former times. His own hands were clean: not so those of the whole tribe of his contractors and dependents. The noble Lord has a rich vein of pure, elegant, classical wit, the most easy manners, and unaffected good nature, with every amiable and companionable quality. He is formed to be admired and beloved as a private nobleman. Would to Heaven I could commend his reverence for the Constitution, his love of liberty, and his zeal for the preservation of those noble privileges and franchises which are the birthright of Englishmen! With his colleague I have acted against his Lordship for many years. I fought by his side through the whole American war, and in all the spirited struggles against the too-great power of the Crown. I have frequently been in raptures from the strains of his manly eloquence, the force of his reasoning, and the torrent of his oratory: so perfect a parliamentary debater this House has never known. I grieve when I recollect how unavailing all our tedious struggles have been, and that so large a part of the empire has been torn from us; but I am indignant when I see the noble Lord in one of the highest offices of the State, brought back to power, and caressed by the very man who undertook to impeach him as the great criminal of the State, the corrupter of Parliament, the author and contriver of our ruin. He protested, that he could not trust himself in the same room with him. At another time he said, he consented to pass for the most infamous man in this, or any country, if he ever made part of an Administration with the noble Lord in the blue ribband. I do not forget, Sir, attending my Sovereign
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the last year, by the command of the freeholders of Middlesex, to thank His Majesty for having removed from his council men, under whose administration calamities, so many and so great, have befallen this kingdom, and for appointing Ministers, in whom this country had, and are willing to have, the fullest confidence. That confidence could never have been lost, but by the dereliction of every principle, and every promise. The right honourable Secretary assured us, in the first week after his accession to power, that he found every thing much worse than he could have suspected. Has he instituted the least inquiry into the causes of the dismemberment of the empire, and of the disgraces of the British fleet during so great a part of the last war, for which he has so often solemnly pledged himself? In breach of repeated public engagements, and almost daily pompous professions, he has joined the enemy of America, by which he has lost the confidence of America, which he had acquired in some degree, and might have made useful to this country.

Sir, another strong objection to this bill arises from the enormous power, in the end, to accrue to the Crown, perhaps directly by collusion with its Minister. It is, Sir, a patronage of above two millions sterling a year, of which the Company will be deprived. Wherever such a patronage falls, it cannot fail to overturn the balance of power in this well-poised constitution. All the Governor Generals, Lieutenant Governors, Counsellors, Presidents, Council of Commerce, Factors, Writers, every thing civil and military, from the General to the Subaltern, in the various establishments throughout Asia, and at home, every thing of profit in Leadenhall Street, to the very warehousemen, clerks, and porters of the house, are included. Such an influence could never be withstood. I consoled myself, Sir, under the loss of America, because as the first object of my wishes is the immortality of the liberties of my country, and I had always thought "that the influence of the Crown had increased, was increasing, and ought to be diminished,"

diminished," three propositions regularly supported by one half of the Coalition, and regularly opposed by the other half, the considerable diminution of regal power by the loss of the appointment of thirteen Governors, thirteen Lieutenant Governors, Chief Justices, Attorney and Solicitor Generals, Receivers, Custom-house Officers, &c. &c. with the military government of Minorca, and the two Floridas, no longer rendered the Crown an object of terror. If, however, the immense patronage of Asia is to be given to the Crown, its overgrown power must soon swallow up the two other branches of the Legislature, and the Sovereign of England will become as perfect a despot as the Monarch of France, Spain, or Prussia. If it is to be seized by a Minister at the head of a proud and hateful aristocracy, both the Sovereign and the People will be the slaves of a faction. One only resource will remain in the great revolution of human events, which the womb of time may bring forth, a circumstance not to be regretted, perhaps to be wished, by the real friends of humanity. It is an event possibly not very distant, that the French, Dutch, and Portuguese, as well as the English, may be entirely swept away from the countries in the East, which they have cruelly laid waste, and made the theatre of the most flagitious enormities. The peaceful natives will then be at rest, happy under the mild government of their own princes. Commerce will no longer be fettered by a monopoly, but spread its swelling sails as freely over the gulph of Bengal and the Indian seas, as on the coast of China and Japan, on the Atlantic, or the Mediterranean.

May I beg the indulgence of the House for a very few more words? We have an act to prevent officers of the Customs and Excise from voting at elections of members to serve in Parliament; a truly wise and excellent regulation, dictated by the spirit of liberty. Should this bill pass into a law, I will move the same kind of bill with respect to every man employed under the intended East-India commission, to diminish, in some degree,

degree, the incredible weight of influence which it will create. I will bring to the test the consistency of the great Whig families, of whose support we have heard so much from the right honourable Secretary; and I doubt not of the effectual assistance of every independent character in the House. I do not, however, despair of the total rejection of the present bill. I will only add, that if we do not strangle the monster in its birth, it will destroy the freedom both of the Parliament and People.

Mr. Wilkes, Dec. 1, 1783.

WITH regard to the prodigality and abuse that have of late marked the conduct of the Company's servants, and brought on the embarrassments under which the Company avowedly labour, what rational ground of expectation is there for the House to form an opinion upon, that the same prodigality and abuse will not continue, and any relief about to be given will prove efficacious? How is the House to know what the real state of the Company's affairs is at this moment? and without knowing it, how is it possible to apply measures of relief adequate to the necessity of the case? The statement of the Directors in their Report is one continued system of fallacy, omission, and error. The letter of Mr. Hastings, dated Fort William at Bengal, December 16, 1783, with the three statements annexed, are equally imperfect and delusive. In order to convince the House that this is not merely assertion, let us go into an examination of the Report of the Directors, and of the letter and statements sent over by Mr. Hastings, dated 16th of December, 1783, and the letter from the Governor General and Council, dated Bengal, Feb. 7, 1784, and examine the statements given in the different papers, and we shall clearly perceive that the over credits taken, or the charges omitted or under-rated by the Directors in the estimate of their commercial fund for six years, ending in March 1790, amount to more than three millions; other calculations

culations made by gentlemen, who understand the subject better, carry the deficiency much higher, even to the amount of millions more than I have stated.

The Directors, in their estimate of the charges in India, have under-rated those charges to the amount of 882,080*l.* a year, which in six years would amount to 5,292,480*l.*, they have omitted to provide for the interest of their bond debt in India, to the amount of 400,000*l.* a year; which in six years come to 2,400,000*l.*; and they have taken credit for an increase of revenue from Benares, and from the Calcutta Customs, to the amount of 292,500*l.*, which I am convinced will never be realized, and which in six years will amount to 1,755,000*l.* These several sums taken together come to 9,747,480*l.*; from which it will result, that instead of having an annual surplus in India, of 1,091,546*l.*, as the Directors have stated, the annual balance against their Indian revenue will be 1,624,580*l.*, and yet nothing allowed for victualling the King's ships and pay of regiments, which already amount to 782,391*l.*—The whole over credit taken by the Directors in the above two estimates, amount to 12,747,480*l.* on the estimated period of six years.

The bills already drawn, or expected by the Company, amount to 4,819,236*l.*; the provision made by the Directors, for bills to be drawn in the whole period of six years, is only 5,655,668*l.*; of which so great a part is already absorbed, that only 836,432*l.* is left to answer all the bills that may be drawn in the last four of the estimated years.

The bond debt in India amounts to 6,192,207*l.*, and this was to be discharged, partly by the appropriation of certain debts, charged upon some ruined princes and insolvent renters, whose debts the Directors said themselves were good for nothing, at the same moment that they took credit for them: and partly by the supposed savings out of a supposed annual surplus in India, stated at 1,091,546*l.*, which ought to be converted into an annual deficiency of 1,624,580*l.*; that in this statement of
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the bonded debt, nothing was charged for outstanding debts at Bombay, which must be considerable, and of which there was no account produced; that the bonds of that Presidency (bearing nine per cent. interest) were at fifty per cent. discount, and that this government had no money to pay even the interest.

All the calculations of the Directors in their estimate are grounded on the assumption, that India is in a state of profound peace, and is likely to continue so for six years to come. Upon what authority is that assumption built? It appears by no authentic document, that India is yet in a state of peace; on the contrary, in the very last dispatches that arrived from Bengal, the direct reverse is allowed.

Mr. Hastings, who always writes *currente calamo*, and whose powers of the pen are infinite, is carried away by the rapidity with which his quill runs, and in a paragraph much better written than I could pretend to have done, says, with all imaginary self-importance,

“ During a period of five years, we have maintained a continued and desperate state of war in every part of India; we have supported your other Presidencies not by scanty and ineffectual supplies, but by an anxious anticipation of all their wants, and by a most prompt and liberal relief of them; we have assisted the China trade, and have provided larger investments from this Presidency than it has ever furnished in any given period of the same length, from the first hour of its establishment to the present time. In the performance of these services we have sought but little pecuniary assistance from home; unwilling to add to the domestic embarrassments of our honourable employers, we have avoided drawing on you for supplies, upon many occasions that would have justified us in seeking such assistance. In all the exertions of this government, great and successful as they have been, it has upheld itself with its own resources: these, indeed, are not now so unincumbered as at the commencement

“ mencement of our difficulties; yet, considering the various
“ purposes to which they have been applied, they are but im-
“ paired, and require only a short interval of peace to restore
“ them to more than their former vigour and abundance.”

The Chancellor of the Exchequer may have his hopes, that the Company will go on more prosperously in future, than it has done hitherto; past experience leads me to think the contrary. If therefore the right honourable gentleman carries his hopes with him, my fears remain, and I see no reason to part with them for more pleasant sensations.

Having acquired the independency I possess in the service of the East-India Company, it may be thought my conduct this day favours of ingratitude to my benefactors. To such an arrangement I beg leave to plead not guilty; no one of the servants of the East-India Company wishes better to its real interests than I do. But I make a great distinction between the East-India Company and its component parts. For the Company I feel every possible emotion of gratitude and respect. Towards the Court of Directors and the Court of Proprietors, I am impressed with very different sentiments. The first has uniformly honoured me with their opposition; and, indeed, I believe Mr. Hastings does not consider himself much more obliged to them than I do. For the Court of Proprietors also I entertain no very eminent degree of respect. Having thus cleared myself from one imputation, another I yet remain liable to, requires that I should say something on that head. I mean with regard to Mr. Hastings, whose name I have frequently had occasion to mention in the course of what I have said, and undoubtedly not always with the most profound respect. To Mr. Hastings, however, I feel no enmity; I have held a contest with him for six years together, but we are both men of too warm passions to harbour any resentments against each other. The object of our contest is now at an end, and so ought the temporary impression of it to be. I can very safely say, I am not actuated by any unfriendly motive against
Mr.

Mr. Hastings personally, and I am perfectly ready to acquit him of feeling any against me. Every thing that I have said this day relative to Mr. Hastings, I would have said had Mr. Hastings been present. Indeed he may be said to be present by his Representatives. [A loud laugh.] Mr. Hastings however knows, that I never was very anxious of concealing any opinion opposite to his own, that he might happen to hold. I have uniformly convinced Mr. Hastings, while in India, that I had not that foible among the many others that might mark my character.

Mr. Hastings has great talents, but he is a man, whose warmth of imagination, and force of feeling, diminishes, and in a great degree destroys the operation of his judgement, whence in a variety of instances his predictions have proved untrue, and his opinions have been contradicted by events. In proof of the truth of this character, when I stated in Council at Bengal the probability of Hyder Ally's invading the Carnatic, Mr. Hastings treated the idea as fanciful and improbable, and roundly asserted that the circumstance could not happen. How much Mr. Hastings was deceived, the world but too well knows. Again, Mr. Hastings placed a blind confidence in Modajee Boosla, and upheld him as the fast friend of the Company and their servants, contrary to the advice and opinion of every other Member of the Council of Bengal, at the very time, as it afterwards appeared, that Modajee Boosla was most busy in plotting and conducting intrigues with the other Indian powers, big with danger to the Company's interests. In various instances also Mr. Hastings, from the sanguine propensity of his mind, fell a dupe to men much less able than himself, and was made the tool of the country princes. The great forte of Mr. Hastings is his power of the pen, by dint of which alone he can cover falsehood with plausibility, and almost lay suspicion asleep. A greater proof of this faculty need not be sought after, than the letter of the Governor General, dated Bengal, December 16, suggests; in that letter, we had ani-

mated description, pleasing painting, and a captivating effect; but unfortunately, when examined, the whole turned out to be a work of the imagination merely. I have received an anonymous letter, signed Detector, which threatens me with every possible vengeance, if I dare to animadvert on the conduct of Mr. Hastings, and menaces me with a discovery of my own crimes, should I rashly venture to censure that great man, with whom I am known to have differed so much in opinion in India. I thought it necessary to state this circumstance to the House, although I defy the author's impotent malice, and laugh at his empty menaces!

Mr. Francis, July 2, 1784.

I rise in this early stage of the debate, because I conceive myself particularly called upon by what has dropped from the honourable gentleman on the floor (Mr. Francis); and I do assure the House, that in a debate of such great national importance, it was not my intention to have mentioned a syllable about myself or Mr. Hastings. I sit in this House, not as the representative of Mr. Hastings, but as an independent Member of Parliament, having some stake in this country, totally independent of the East-India Company, in whose service my acquisitions are very small, though I had the honour to serve them near sixteen years. The honourable gentleman says, he has received an anonymous letter, signed Detector, in which the writer threatens him with vengeance if he opposes Mr. Hastings. The honourable gentleman will give me credit, when I declare to him, that I did not write the letter; that no man despises anonymous slanders more than I do, and I declare that I never wrote a line in my life, which I would deny, or for which I am not at all times ready to be accountable. But as the writer has assumed the signature of Detector, I assure the honourable gentleman, the person who addresses him is not the writer of those admirable strictures on the Reports of the Select Committee of the last Parliament. The gentleman who

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wrote those letters is not in England, nor in Europe, at this moment. Having said thus much, I will now offer a few remarks upon what has fallen from the honourable gentleman, who has told the Committee they have no security that the same prodigality which has been practised, will not be continued, or that the Company's orders will not be disregarded in future as they had been in times past. Upon this subject I shall ask the honourable gentleman one plain question:—Is it not a fact, that from the year 1772, to the year 1780, a period of eight years, not a single bill was drawn from Bengal, except such as were expressly authorised by the Court of Directors? Is it not equally a matter of fact, that the bills drawn in 1781, and the following years, were for the express purpose of furnishing an investment for the Company? Is it not equally a matter of fact, that this was the only possible mode by which an investment could be furnished; and why? Because in the last five years no less a sum than six millions and a half sterling, or six hundred and fifty lacks of rupees, was sent from Bengal to Madras and Bombay, for the support of the war. At this period too, when we were struggling for our existence as a nation in India, when there were opposed to us seventeen sail of the line and six thousand of the troops of France; when we were at war with the Mahrattas, and Hyder Ally in possession of three fourths of the Carnatic, when our armies there were paid and fed in a great measure from Bengal, was it extraordinary that Mr. Hastings was not able to appropriate any portion of the revenues of Bengal to the purchase of an investment? The question therefore was simply this: Was it better to take up money in Bengal for bills upon England, and to apply that money wholly and exclusively to the purchase of an investment, or that the investment for three years should have been discontinued? I am really sorry to be under the necessity of mentioning the name of Mr. Hastings so frequently, but the honourable gentleman reduces me to that necessity; I mean no disrespect to the honourable gentleman,

when I say, that neither he nor Mr. Hastings are of consequence enough to attract the attention of the Committee for a moment. I give the honourable gentleman full credit for the purity of his motives, and I believe he no longer bears an enmity to Mr. Hastings. But what has the Committee to do with their differences. They are now upon a subject of the greatest national importance, and I really am ashamed to lose a moment in the discussion of points that are purely personal. The honourable gentleman has gone through a variety of calculations, to prove we are ruined past redemption, and that at the end of six years the Company will owe nine millions sterling and upwards. If that is really the case, they are in a most deplorable state: but the honourable gentleman's calculations have ever been unfavourable to the Company and its servants. Let any gentleman read his minutes when first he arrived in Bengal, or his letter from St. Helena, or from his house in Harley Street, to the Court of Directors. I am sure I do not mean to impute to the honourable gentleman an intention to deceive: but it was the honourable gentleman's custom to state the Company's affairs in the most unfavourable point of view. Mr. Hastings, perhaps, might on the other hand be too sanguine. But without disputing the honourable gentleman's calculations, or entering into the intricacies of the China trade, I will beg leave to state the transactions in Bengal as they actually happened in the last fourteen years. [Here a loud laugh.] I beg the Committee will not be alarmed, for I will pass over those fourteen years in less than five minutes. The Committee will recollect, that in the year 1770, bills were drawn upon the Company from Bengal to the amount of one million one hundred thousand pounds, at the recommendation of an honourable gentleman, not now a Member of this House; I mean General Smith, and that this unexpected draft was made in a season of profound peace. The fact being, that after paying the civil and military charges, stipends, &c. there was not a sufficient surplus at the end of six years peace,

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for the purchase of an investment in Bengal. This threw the Company upon this House for relief; and, to use the words of an honourable Baronet, relief and reformation went together. The Regulating Act of 1773 passed, to which they owed the services of the honourable gentleman in India. In April 1772, Mr. Hastings, by the appointment of the Company, became Governor of Bengal; at which period the bond debt was 100 lacks, and unavoidably increased to one hundred and twenty lacks soon after. Upon this system, the Company could not be expected to go on. But what was the alteration produced in four years. Not only was the bond debt completely discharged—not only was an ample sum appropriated for the purchase of an investment, but there was actually a balance in the Company's Treasury, in Bengal, of one hundred and seventy-seven lacks of rupees. Will the honourable gentleman say, this state of prosperity was not the consequence of measures adopted by Mr. Hastings previous to his arrival in October 1774, or to the economical retrenchments which took place subsequent to that period? I will not detain the Committee by an investigation of the Mahratta war. It was as much condemned by Mr. Hastings, as by the colleagues of the honourable gentleman, General Clavering and Colonel Monson, whose names he ever had mentioned, and ever should mention, with respect. I am happy on this day to have the honour of seeing the noble Lord in the blue ribband (Lord North). The noble Lord will do Mr. Hastings the justice to say, the second Mahratta war was not to be imputed to him. The noble Lord is fully acquainted with every step taken by Mr. Hastings. He knew the intelligence he received, and the credit he justly gave to that intelligence. The second Mahratta war was solely to be imputed to the American war, a fact I am ready to prove at any time. The right honourable gentleman (Mr. Fox,) who sits near the noble Lord, said, and truly said at that time, that one consequence of the American war would be, our being involved in every quarter of the globe. The honourable gen-

tleman had called upon the learned gentleman who sat below him, to assist him in exposing the wild schemes of Mr. Hastings: but will the honourable gentleman be pleased to recollect the ground upon which that learned gentleman proceeded. His argument was, Mr. Hastings had forfeited the confidence of the native Princes in India. They would not treat with him, he could not make a Mahratta peace, and therefore he ought to be recalled. Will the learned gentleman now hold that language? Will the learned gentleman now say that Mr. Hastings did not enjoy the confidence of the native Princes, or that at a moment of difficulty and danger, he did not conclude the Mahratta peace? What was the difference between the learned gentleman and the Court of Proprietors with respect to Mr. Hastings? Not that Mr. Hastings was a delinquent. I never heard the learned gentleman aver an opinion of his delinquency. The learned gentleman conceived that the removal of Mr. Hastings was necessary to conciliate the minds of the native Princes in India, and for the re-establishment of peace. The Court of Proprietors were of an opinion directly contrary, and experience has proved, that the Proprietors were right, and the learned gentleman wrong. Whether Mr. Hastings was, or was not the author of the Mahratta war, whether he gave too much credit to the intelligence transmitted to him from Europe or not; whether it was the act of a wise man, or a romantic attempt to march a detachment across India, is by no means the present question. Let us consider what was their situation by the latest advices: in the height of the Mahratta war, Hyder Ally Cawn invaded the Carnatic. To preserve that important branch of our dominion in India, Mr. Hastings, at a moment when merchant ships would not attempt a passage to Madras, proposed sending 640 Europeans and 15 lacks of rupees to the Carnatic by sea; and Sir Eyre Coote nobly consented to risque his high military reputation at the head of a defeated and dispersed army. Mr. Hastings also proposed to send a very considerable

siderable detachment to Madras by land. It was immediately formed, and joined Sir Eyre Coote before his second general action with Hyder; nor can I conceive, that the late House of Commons condemned the transaction, that the march of this great detachment through the territories of Modajee Boosla was purchased too dearly by the sum of money given to his son Chemnajee. From that period every possible assistance was afforded by the Supreme Council to the government of Madras; and after a variety of successes in a most difficult and arduous war, our army was besieging the French forces in Cuddalore, when intelligence of the peace arrived in India. I believe in my conscience, that peace has saved the country; but was any possible exertion neglected by Mr. Hastings to feed and to pay the army at Madras, or to enable the Bombay forces to make that diversion which at the most critical moment of the war drew Tippoo Saib out of the Carnatic? The honourable gentleman, however, has passed in silence over the dangers we escaped, passed in silence over the difficulties we surmounted, and says, we have not peace with Tippoo Saib! I am not afraid of committing myself by saying, that I believe we have peace with Tippoo Saib, and that I believe he is utterly unable to continue the war. I believe also, that his only chance for safety is in peace. But admitting for a moment that it is not concluded, have we a Mahratta war now to support? Have we seventeen sail of the line, and six thousand land forces belonging to France, opposed to us? Or is Tippoo Saib now in the heart of the Carnatic? We never can have such a combination to struggle with again; and I repeat it, that putting together the intelligence from Tanjore and from Bufforah, I believe that at this moment the peace with Tippoo is concluded. Without wishing to say any thing that may give offence, let us consider how the war has ended in different quarters of the globe; in Europe we have lost Minorca; in America, thirteen provinces and the two Floridas; in the West Indies, Tobago and some settlements in Africa. We

have contracted a debt of one hundred millions and upwards, and have lost above a hundred thousand men, but in India we have preserved all our former possessions, and we have yielded up Chandernagore, and all the French settlements in Bengal. We have yielded Pondicherry, Carical, and every settlement. We have conquered from the French upon the coasts of Coromandel and the Malabar. We have given back to the Dutch, Chensurah, Calcapore, and their settlements on their coasts, Negapatnam excepted. I should rather say, this nation has given up, and wisely given up the conquests of the East-India Company, to prevent farther sacrifices where they would have been more felt by the public. We have contracted a debt during this long and arduous war, not equal to one year of our net revenues; and shall the Company be stiled a burden upon the State, or shall its servants, who have exerted themselves so meritoriously, be calumniated, instead of receiving the praise due to their merit? But the honourable gentleman says, we have no security that œconomy will be practised in Bengal, except we argue in favour of future obedience from past disobedience. If the fact is so, why in the name of God do we not remove those men who will not obey our orders? Was Mr. Hastings in the way of any scheme of reformation? Had he not expressly and anxiously written to desire that a successor might be sent out? I appeal to the noble Lord in the blue ribband, whether it had not invariably been the language of Mr. Hastings, “remove me, or confirm me; the government of India should be supported by the government at home; and if you will not give me your confidence, recall me.” I earnestly hope, that if His Majesty’s Ministers, or if the Court of Directors, will not give their confidence to Mr. Hastings, they will instantly remove him. I hope, if they conceive that he will not rigidly execute every order they send to him relative to œconomical retrenchments, that they will instantly remove him. I have heard this language of Mr. Hastings’s disobedience repeated in speeches; I have seen it inserted in pamphlets

pamphlets and newspapers; but when gentlemen are pushed upon the subject, they are obliged to have recourse to the stale charge of not sending Mr. Bristow to Oud, and Mr. Fowke to Benares. And here I must say, that whether Mr. Hastings is to be continued or not, or whoever goes out to succeed him, the government of India must be in India, and this House must give up the ridiculous idea of appointing gentlemen to ministerial offices, either from Leadenhall Street, or this end of the town. The system is new, and destructive in the extreme, of pointing out to their governments in India who they shall employ in offices of trust and importance. Will the honourable gentleman, or will any other honourable gentleman, point out a single order sent from this country relative to economical retrenchments which have been disobeyed in the last three years? There is, indeed, a difference of opinion between Mr. Hastings and the Directors, relative to the duration of contracts; but that is of a very old date, and will make no difference to the present argument. I shall now briefly state my ideas of what could be done in Bengal. The House had authentic official advice, that the army in Bengal had been considerably reduced; they knew that Colonel Morgan's detachment was, on the 23d of January, within twelve Cofs of Gualior; consequently that by the 1st of February it would be in the ranks of the Jumna, when it was instantly to be reduced. Admitting the peace not to be concluded with Tippoo, the services of the Bengal detachment at Madras were no longer necessary. I therefore believe, that by the 1st of May every military expence of the Bengal army was brought within one hundred and ten lacks a year. It is the duty of the Court of Directors not to trust merely to this, but to point specifically the reductions that should be made, and to take care that the expence they authorize is not exceeded. The civil disbursements are estimated at more than thirty-nine lacks, including the expence of the Supreme Court of Judicature; but allowing fifty lacks for the civil charges and the marine, allowing twenty-one lacks

lacks for stipends, and twenty lacks for contingencies, beyond the very high rate at which I have stated the disbursements, and from the net revenues of Bengal, Bahar, and Orissa; Benares, Vizier's subsidy, and the profit upon salt and opium, including also the sale of our imports, there will still remain a surplus of above one hundred and fifty-nine lacks of rupees, for the purchase of future investments, for paying the interest of the bonded debts of India, and for a gradual liquidation of the principal.

In stating the subsidy of the Vizier, I confine myself to the two lacks and sixty thousand rupees a month, which he pays for a complete brigade by the treaty of 1775. But his Excellency is also engaged to pay seventy thousand rupees a month for every regiment of Sepoys which he may choose to station in his dominions, beyond the complete brigade, and a fixed sum for the Ordnance department. At present there are six regiments upon this subsidy in the Vizier's dominions, which is so far a saving to the Company. If at any future period (of which I have no idea) the Vizier should wish to recal all our forces from Oud, their line of defence will be circumscribed, and a proportional reduction of the army must take place; and when we are again brought within the banks of the Carumnassa, eighty lacks of rupees will amply provide for as large an army as will be necessary for our complete defence; I perfectly agree with the honourable gentleman, that from Bengal the interest of the bond debts in India must be paid, and the principal liquidated, whenever it is liquidated: yet I have the authority of Lord Macartney for supposing, that on the re-establishment of peace, the Carnatic will bear its own expences, and furnish a cargo for Europe. I hope it will be so, and then it will be a relief to Bengal, which I have not yet calculated. I did intend to have made a few remarks upon the Report of the Select Committee before us, and to have noticed two or three very glaring errors; but I shall leave this to other gentlemen, as I am of opinion observations will not escape them. I have the
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highest opinion of the integrity, ability, and impartiality of the gentlemen who compose the Committee; but this is an additional proof of the absurdity of a Committee of this House entering upon the detail of an Indian account without having a single gentleman among them who, from local knowledge and long experience, can be enabled to point out to them the necessary papers and documents which they should refer to.

Major Scott, July 2, 1784.

FREEDOM OF ELECTION.

IT is well known, that by the Constitution of this kingdom all elections, of whatever nature, ought to be made with the utmost freedom.—We have many laws, both ancient and modern, for establishing the freedom of elections, and for preventing any undue influence that may be made, either by money, by threats, or by promises, upon the electors. The very nature of the thing requires it should be so; for every man who is allowed a vote at any election, is, by law, presumed capable of determining within himself who is the most proper person for that post, office, or employment, to which he is to elect; and if he be directed in his voting, either by money, by threats, or by promises, it is he who directs that is properly the elector, and not he who is made the tool upon that occasion; by which means, that election, which by law ought to be made by a great number of persons, may come to be directed, and, consequently, made by one single man.

Therefore, my Lords, it always has been deemed to be a maxim of the common law of England, that elections shall be freely and regularly made, without any interruption whatever; and

and this maxim has been confirmed and enforced by most of the great Kings that ever reigned in this kingdom. Under our glorious King Edward the First was that statute made, which is called, The First of Westminster; and, by the fifth chapter of that statute, it is expressly ordained, “That no great man, or any other person, shall, by force, by malice, or by threats, any way dispute the freedom of election, under the pain of grievous forfeiture;” which is a law still in force, and a law that relates to all elections made, or to be made, within this kingdom; and so careful were our ancestors of preserving this freedom of election, that even requests and earnest solicitations were, in such cases, deemed unlawful, as may appear from that statute which was made in the seventh of Henry the Fourth, and from the fourteenth chapter of the statute called *articuli cleri*, which was made in the reign of Edward the Second; for it was by them most reasonably concluded, that if any great or powerful man was allowed but to request or solicit a man for his vote at any election, that request or solicitation would have the same effect as if he had actually threatened that man, or made promises to him for giving his vote as directed; because every man would naturally presume, that if he complied with the great man’s request he might expect his favour, and if he denied his request he must expect his malice.

From hence it is plain, my Lords, that by the very nature of the thing, as well as by the statute and common law of the kingdom, it is highly criminal in any great man to request or solicit votes at any election; but it must be still more criminal in any man actually to give or to promise any money, or other reward, upon such an occasion, especially in any thing that relates to a right of sitting in the House. And what appears to be the undoubted law of this kingdom, is so far from being derogated from by the union between the two nations, that it is in the particular case, now before us, expressly confirmed by that act which was made by the Parliament of Scotland, for settling the manner of electing the sixteen Peers; and which

which act is, by the Parliament of both nations, declared to be as valid as if the same had been part of the articles of union.

Since then it appears, that the resolution now proposed, namely, "That it is the opinion of this House, that any person or persons taking upon him or them to engage any Peers of Scotland, by threats, promise of place or pension, or any reward or gratuity whatsoever from the Crown, to vote for any Peer, or list of Peers, to represent the Peerage of Scotland in Parliament, is an high insult on the justice of the Crown, an incroachment on the freedom of elections, and highly injurious to the honour of the Peerage," is nothing but a declaration of what is now the law of Great Britain, I can see no reason for our not complying with the motion which the noble Duke has been pleased to make us ; but, on the contrary, I see many and strong reasons for our agreeing to it, for it certainly will inforce the laws now in being ; it will put people in mind that there are such laws, and will contribute greatly towards terrifying those who may hereafter have evil intentions from being guilty of those practices which they know to have been so totally condemned by this House ; and such a resolution is at present the more necessary, because of the great complaints now so generally made over the whole nation against such practices. Bribery and corruption, in elections of all kinds, is now so universally complained of, that it is become highly necessary for this House to come to some vigorous resolutions against it, in order to convince the world, that it has not as yet got within these walls. It has already, I am afraid, got too firm a footing in some other parts of our Constitution ; what is now proposed will not, I am afraid, be a sufficient barrier, but I am very sure, if something is not very speedily done, if some effectual measures are not soon taken against that deadly foe to our Constitution ; I say, I am very sure, that in a short time corruption will become so general, that no man will be afraid to corrupt, no man will be ashamed of being corrupted.

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Though it cannot be affirmed, my Lords, that any undue influence has as yet been made use of in the election of the sixteen Peers of Scotland, though it cannot be suspected, that any such influence will ever be allowed of, much less approved of by His present Majesty, yet no man can tell how soon such a thing may be attempted; and the circumstances of many of the Peers of that nation give us great reason to be jealous of such attempts. It must be allowed, that there are many of them who have the misfortune of having but small estates; it is well known, that many of them have commissions in the army, or places in the Government, depending upon the pleasure of the Crown; and it must be granted, that some of them cannot well support the dignity of their titles, and the ancient grandeur of their families, without such commission in the army, or post in the Government. If, then, any future ambitious Prince should think of securing, by illegal means, a majority in this House, in order to destroy the liberties of his people; or if any wicked Minister, who had got the leading of a weak Prince, should think of getting a corrupt majority in this House, in order to secure him against an impeachment from the other, are not we naturally to conclude, that the first attempt of such a King, or such a Minister, would be to secure the sixteen Peers from Scotland.

In such a case, a Court list, or rather a Ministerial list, would certainly be sent down, and every Peer of Scotland that did not vote plump for that list, would be under-hand threatened with being turned out of his commission in the army or navy, or out of his employment under the Government; and others would be induced to vote for it by secret promises of preferment, or of being provided for. The noble families of Scotland are, my Lords, as ancient, and have always behaved with as much honour, as the nobility of any nation under the sun; but, in such cases, how hard might be the fate of some of the representatives of the noble families of that kingdom? They must ungratefully vote against those who, perhaps, procured
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them their commissions, or the posts they enjoy; they must vote for those they know to be men of no worth or honour; men whom they know to be mere tools of power; or otherwise they must expect to be stripped of all their preferments under the Government, and thereby rendered incapable of supporting themselves in their native country as noblemen, perhaps even as gentlemen. This is a misfortune which certainly may happen: this, my Lords, is a misfortune which, in regard to our country, in regard to the honour and dignity of this House, in regard to our own families, we ought to provide against, and we cannot provide against it too soon.

I say, my Lords, that it is a misfortune which, in regard even to our own families, we ought to provide against; for it is well known, that there is but seldom any difference between the Royal and the Ministerial power. There can never be any difference between the two, but when there is a just, a wise, and an active Prince upon the throne; for when there is an ambitious, and an unjust Prince upon the throne, his Ministers will readily submit; he will make every thing submit to his power if he can; and when a weak or an indolent Prince happens to be upon the throne, the whole Royal power will always be lodged with the Ministers, and generally in one prime Minister; and as such Ministers always endeavour to act in an arbitrary way, they never will employ any but those who will meanly submit to be their tools; all others they will endeavour to oppose or destroy. It is certain, that men of great families and fortunes, who have any sense or penetration, will never so easily submit to the arbitrary views of an ambitious Prince, nor will they so easily submit to be the tools of an over-bearing Minister, as fools or mean upstarts; and, therefore, no such Prince or prime Minister never will employ any of them, if they can do without. While the ancient dignity and weight of this House is preserved, the ancient and great families of the kingdom will be able to confine the reins of an ambitious Prince, and to force him to delegate a just proportion of his power to them;

them ; and they will always be in a condition to force themselves in upon a prime Minister, not as his tools, but as his partners in power. But if it should once come to be in the power of a prince, or Minister, to secure, by dishonourable means, a majority in this House, the greatest part of our posterity will for ever be excluded from all share in the Government of their country ; none but mean tools of power, and knavish upstarts, will be employed in the Administration ; and, perhaps, even our next successors may see a wicked and overbearing prime Minister of State at the head of a parcel of fools and knaves, carrying things in the House by a majority, contrary to the opinion of the generality of mankind out of doors, and contrary to the opinion of every honest man of sense within.

To me, my Lords, it is as clear as demonstration, that an utter exclusion of all the nobility in Great Britain, who had either honour or good sense, from any share in the Administration, will be the certain consequence of the Court's getting it in their power, to secure, by corruption, a majority in this House. But, I am much afraid, the misfortune would not stop here ; I am afraid, that such a Court would soon begin to think of getting rid of every family in the nation which could be any way troublesome to them ; and of such a resolution, my Lords, supported by such a majority, how fatal might be the consequences to every one of your Lordships' families, which happened unfortunately, at that time, to have a representative beloved in his country, and esteemed for his great honour, and his good sense. Of such consequences I have the most terrible apprehensions ; I hope no such case will ever happen ; but I must desire your Lordships to consider how great an influence a number of sixteen such votes might have upon all the resolutions of this House. Look into your journals, look into the histories of this nation, and you will see how many questions, questions in which the very being of our Constitution was deeply concerned, have been carried against
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the then enemies of our Constitution, by a majority of a much smaller number, perhaps by a majority of not above two or three. Can we, then, be too jealous of the method of electing the sixteen Peers of Scotland? Can we refuse, or neglect to use, all those means that lie in our power for preventing their being ever chosen by ministerial influence? Can we suppose that all those who are chosen by such an influence will not vote in this House under that influence by which they are chosen?

Custom, my Lords, is of a mighty prevalent nature; even virtue itself owes its respect, in a great measure, to custom; and vice, by being openly and avowedly practised, soon comes to disguise itself, and assumes the habit of virtue. If ministerial influence, if private and selfish views, should once come to be sole directors in voting at the election of the sixteen Peers of Scotland, the practice would very soon get even into this House itself; and, as inferiors are always apt to imitate their superiors, it would from thence descend to every election, and to every assembly in Great Britain. Corruption would then come to be openly and generally avowed; it would assume the habit of virtue; the sacrificing of our country, the sacrificing of all the ties of honour, friendship, and blood, to any personal advantage or preferment, would be called prudence and good sense, and every contrary behaviour would be called madness and folly. Then, indeed, if there were a man of virtue left in the nation, he might have reason to cry out with the celebrated Roman patriot, "Oh virtue! I have followed thee as a real good, but now I find thou art nothing but an empty name." It was, my Lords, the general corruption he found in his country that led that great man into such an expression: he died in the defence of liberty and virtue, and with him expired the last remains of the liberty and virtue of his country; for virtue and liberty always go hand in hand; wherever one is, there likewise is the other; and, from every country, they take their flight together.

I have said, my Lords, that it cannot be affirmed, that any undue influence has yet been made use of in the election of the Peers for Scotland; but yet it must be granted, that towards the latter end of the late Queen's reign, there seems to be a strong suspicion, that some extraordinary influence was then made use of; for the sixteen that were first chosen after the union, were all such as were known to have a true zeal and affection for the Revolution, and for the present establishment. Soon after there was a change in the Ministry here, and, upon that, a new Parliament: it cannot be said, that there was any change among the electors of the sixteen Peers of Scotland, they necessarily continued to be the same; and yet there was such a thorough change among the sixteen representatives then chosen, that hardly one of the former was sent up; the whole sixteen were such as were agreeable to the new Ministry, and such as went into all the new measures then set on foot. Even some noble Lords, now in this House, whose consummate prudence and great qualifications were then well known, were left out in that Queen's time, though the Peers of Scotland have been ever since so just to themselves as always to chuse them for their representatives. How this should happen, without some undue influence being then made use of, I cannot well comprehend. And if what is prophesied should happen; if upon the next election it should be found, that some noble Lords are left out, whose families, as well as themselves, have been eminent and remarkable for their zeal in the present happy establishment, as well as for the Revolution, upon which it is founded; if such, I say, should be left out, for no other reason that can possibly be guessed at, but that they happen not to be altogether agreeable to the Ministers for the time being, I shall think it still more unaccountable; because, that in the latter end of the late Queen's time, there seemed to be a contest between those that were friends and those that were enemies to the Protestant succession, and, in such a contest, there is some ground to presume, that the Peers of Scotland
would

would naturally divide into two parties, and that the most numerous party would chuse that sixteen who were supposed to be of the party they espoused. But now, my Lords, where there is no principle, either in religion or politics, to direct them, is it not to be supposed that they will naturally divide into two parties, or that the majority of them will readily resolve not to vote for any of those who now happen to be disagreeable to the Minister, notwithstanding their having, for a continued course of so many years, thought some of them worthy of the honour of being their representatives in this House?

If this, my Lords, should really happen; if some of those Lords now in this House, whose zeal and affection for his Majesty's person and government are well known, whose qualifications and natural endowments are universally acknowledged, and who have performed many eminent services to their country; if such, I say, should be left out, and others, who may not be known in the world, chosen, or, at least, pretended to be chosen in their room, I shall be apt to suspect, I believe the whole nation will conclude, that some of the Scots Peers have not been directed in their choice by that which ought to be their only direction upon such an occasion; and if such a thing should happen, it will be incumbent upon this House to inquire how it was brought about; for we ought not to admit of any unworthy person's being brought among us, nor ought we to allow of any person's being brought unworthily or unjustly into this House. This we have a right to inquire into, as may appear by what happened so lately as in the reign of the late Queen; and our records, our own histories, may shew us, that the bringing, or endeavouring to bring, unworthy persons into this House was inquired into, and had like to have proved fatal to King Henry III.

In such cases, my Lords, we are not tied down to the strict rules of law, we are not to expect every criminal fact to be proved by two or three witnesses; this is what neither House

of Parliament ever thought themselves tied down to do ; it is from circumstances, as well as proofs, that we are to determine; and if such circumstances should concur, as must convince every man of common sense in the kingdom, I am sure I need not tell your Lordships what you are to do ; but as the preventing of crimes is much more prudent, and less troublesome, than the punishing of them, let us, therefore, now endeavour to prevent the committing of any such crimes, by agreeing to the resolution proposed.

The other House of Parliament has passed many laws for preventing the influence of bribery and corruption in the election of any of their members. They have lately got passed a severe law against that abominable practice; and another bill for preventing any undue influence upon their members after they are chosen, has since been several times brought in, and as often passed in that House, but your Lordships have not, it seems, thought fit to give it your concurrence. While there are such complaints against the growth of corruption, while the other House are using such precautions against it, shall we sit still and do nothing? There are but a few of the members of this House, there are none but the sixteen for Scotland, who owe their seats here to an election. Let us, then, my Lords, take all possible care, that they shall always be chosen by an honourable, a fair, and a free election. If they should ever come to depend upon a Minister for their seats in this House, consider, my Lords, what an influence it might have even upon their voting while they are here. How terrible must it be for any Lord of this House to be exposed to the danger of being told by an insolent Minister, " You shall vote so or so, otherwise you shall be no longer a Lord of Parliament." This is what, I hope, your Lordships will endeavour to prevent, by agreeing to this resolution, or any other more effectual method that may hereafter be found to be necessary.

Earl of Chesterfield, Feb. 13, 1738.

THE

THE motion which I shall have the honour of submitting to the House, affects, in my opinion, the very vitals of this Constitution, the great primary sources of the power of the People, whom we represent, and by whose authority only, delegated to us for a time, we are a part of the legislative body of this kingdom. The proceedings of the last Parliament, in the business of the Middlesex election, gave a just alarm to almost every elector in the nation. The fatal precedent then attempted to be established, was considered as a direct attack on the unalienable rights of the People. The most respectable bodies in the kingdom expressed their abhorrence of the measure. They proceeded so far as to petition the Crown for the dissolution of that Parliament, as having been guilty of a flagrant abuse of their trust. Above 60,000 of our fellow subjects carried their complaints to the foot of the throne, a number, surely, deserving the highest regard from a Minister, if his whole attention had not been engrossed by the small number of the 6000 who return the majority of members to this House. The People, Sir, were in a ferment, which has not yet subsided. They made my cause their own, for they saw the powers of Government exerted against the Constitution, which was wounded through my sides, and the envenomed shafts of a wicked Administration pointed at our laws and liberties no less than at a hated individual. The plan was carried on for some years, with a spirit of rancour and malevolence which would have disgraced the very worst, but with a perseverance which would have done honour to the best cause. I do not mean, Sir, to go through the variety of the persecutions and injuries which that person suffered, I hope, with a becoming fortitude. I have forgiven them. All the great powers of the State, at one time, appeared combined to pour their vengeance on me. Even imperial Jove pointed his thunderbolts, red with uncommon wrath, at my devoted head. I was scorched, but not consumed. The broad shield of the law protected me. A generous public, and my noble friends, the freeholders of Middlesex,

the ever steady friends of liberty and their country, poured balm into my wounds. They are healed. Scarcely a scar remains : but I feel, deeply feel, the wounds given to the Constitution. They are still bleeding. This House only can heal them. They only can restore the constitution to its former state of purity, health, and vigour. May I be permitted to point out the mode of the cure, and the salutary methods. I think you ought to apply ? Before I proceed to the remedy, I shall beg the indulgence of the House to state the case, and I hope they will forgive a dry but candid narrative of facts, because I mean to argue from them. I will give them as briefly as possible, and with all the impartiality of a by-stander.

“ Mr. Wilkes was first elected for the county of Middlesex on the 28th of March, 1768 : he was expelled the 3d of February, 1769, and the second time chosen, without opposition, the 16th of the same month : on the day following, the election was vacated, and he was declared by a majority of the House incapable of being elected into that Parliament. Notwithstanding this resolution of the House, he was a third time, on the 16th of March, elected without opposition ; for I suppose the ridiculous attempt of a Mr. Dingley, who had not a single freeholder to propose or vote for him, can hardly be called an opposition. That election, however, was declared void the next day. On the 13th of April Mr. Wilkes was a fourth time elected, by a majority of 1143 votes, against Mr. Luttrell, who had only 296. The same day the House voted, “ That Mr. Luttrell ought to have been returned.” On the 25th of April a petition was presented to the House, from the freeholders of Middlesex, by a worthy Baronet, (Sir George Saville,) who is not only an honour to this House, but to human nature ; notwithstanding which the House, on the 8th of May, resolved, “ That Henry Lawes Luttrell, Esq. is duly elected a Knight of the Shire to serve in this present Parliament for the county of Middlesex.”

These

These are the leading facts. I will not trouble the clerks, Sir, to read all the resolutions to which I have alluded: they are most of them fresh in the memories of gentlemen; I only call for that of February, 1769, respecting incapacity as the certain consequence of expulsion.

The clerk having read the resolution, I think it fair to state to the House the whole of what I intend to move in consequence of the facts I have stated, and the resolution first read. The first motion I intend is, that the resolution of this House, of the 17th of February, 1769, "That John Wilkes, Esq. having been, in this session of Parliament, expelled this House, was, and is incapable of being elected a member to serve in this present Parliament." This I hold of necessity to restore the Constitution, which that resolution tears up by the roots. I shall then, if I succeed, if justice and a reverence for the Constitution prevail in this Parliament, proceed to the other motion, "That all the declarations, orders and resolutions, of this House, respecting the election of John Wilkes, Esq. for the county of Middlesex, as a void election, the due and legal election of Henry Lawes Luttrell, Esq. into the last Parliament, for the county of Middlesex, and the incapacity of John Wilkes, Esq. to be elected a member to serve in the said Parliament, be expunged from the journals of this House, as being subversive of the rights of the electors of this kingdom."

The words of the resolution, of the 17th of February, 1769, which I mean particularly to combat, are, "was and is incapable," and the explanation of them the same day in the order for a new writ "in the room of John Wilkes, Esq. who is adjudged incapable of being elected a member to serve in this present Parliament." In the first formation of this government, in the original settlement of our Constitution, the people expressly reserved to themselves a very considerable part of the legislative power, which they consented to share jointly with a King and House of Lords. From the great population of our island, this power could not be exercised personally,

ally, and therefore the many were compelled to delegate that power to a few, who thus became their deputies and agents only, their representatives. It follows directly, from the very idea of choice, that such choice must be free and uncontrolled, admitting of no restrictions but the law of the land, to which Kings and Lords are equally subject, and what must arise from the nature of the trust. A Peer of Parliament, for instance, cannot be elected a Member of the House of Commons, because he already forms a part of another branch of the same legislative body. A lunatic has a natural incapacity. Other instances might be mentioned, but those two are sufficient. The freedom of election is then the common right of the people, their fair and just share of power, and I hold it to be the most glorious inheritance of every subject of this realm, the noblest, and, I trust, the most solid part of that beautiful fabric, the English Constitution. Here I might lean, Sir, on the most respectable authorities which can be cited, the Supreme Judicature of the kingdom, and the venerable Judges of former ages, as well as of our own times. *I met them accidentally this morning in the course of my reading, as an old friend* (the Duke of Grafton) *of Wilkes and Liberty*, now, alas, lost to every sense of duty to his country, frequently tells another assembly, he *accidentally meets* all the tiresome quotations he makes. The House of Peers, in the case of Ashby and White in 1709, determined, “a man has a right to his freehold by the common law, and the common law having annexed his right of voting to his freehold, it is of the nature of his freehold, and must depend upon it.” On the same occasion likewise they declared, “it is absurd to say, the elector’s right of chusing is founded upon the law and custom of Parliament. It is an original right, part of the constitution of this kingdom, as much as a Parliament is, and from whence the persons elected to serve in Parliament do derive their authority, and can have no other but that which is given to them by those that have the original right to chuse them.” The greatest
law

law authorities, both ancient and modern, agree in opinion, that every subject of the realm, not disqualified by law, is eligible of common right. Lord Coke, Lord Chief Justice Holt, and Mr. Justice Blackstone, are the only authorities I shall cite. I regard not, Sir, the slavish courtly doctrines propagated by lawyers in either House of Parliament, as to the rights of the subject, no more than I do as to what they call high treason and rebellion. Such doctrines are delivered here only to be reported elsewhere. These men have their reward. But the venal tongue of a prostitute Advocate or Judge is best answered by the wise and sober pen of the same man, when in a former cool moment, unheated by party rage, or faction, after the fullest deliberation, he gave to the nation, to the present age, and to posterity, a fair and impartial detail of their undoubted rights, and when he laid down in clear and express terms the plain law of the land. Lord Coke says, "He which is eligible of common right, cannot be disabled by the same ordinance in Parliament, unless it had been by act of Parliament." Lord Chief Justice Holt declares, "The election of Knights belongs to the freeholders, and it is an original right, vested in, and inseparable from, the freehold, and can no more be severed from their freehold, than their freehold itself can be taken away." Mr. Justice Blackstone, in the first book of his Commentaries, has the following words: "Subject to these restrictions and disqualifications, every subject of the realm is eligible of common right." This common right of the subject, Sir, was violated by the majority of the last House of Commons, and I affirm that they, and in particular, if I am rightly informed, the noble Lord with the blue ribband committed high treason against Magna Charta. This House only, without the least interference of the other parts of the Legislature, took upon them to make the law. They adjudged me incapable of being elected a member to serve in that Parliament, although I am qualified by the law of the land; and the noble Lord declared, "if any other candidate had only six votes, he

would seat him for Middlesex." I repeat it, Sir, this violence was a direct infringement of Magna Charta, high treason against the sacred charta of our liberties. The words to which I allude ought always to be written in letters of gold: "No freeman can be disseized of his freehold, or liberties, or free customs, unless by the lawful judgement of his peers, or by the law of the land." By the conduct of that majority, and of the noble Lord, they assumed to themselves the power of making the law, and at the same moment invaded the rights of the People, the King, and the Lords. The two last tamely acquiesced in the exercise of a power, which had been in a great instance fatal to their predecessors, had put an end to their very existence; but the People, Sir, and in particular the spirited freeholders of this county, whose ruling passion is the love of liberty, have not yet forgiven the attack made on their rights. So dangerous a precedent of violence and injustice, which may in future times be cited by a despotic Minister of the Crown, ought to be expunged from the journals of this House.

I have heard and read much of precedents to justify the proceedings of the majority in the last House of Commons. I own, Sir, I value very little the doctrine of precedents. There is scarcely any new villany under the Sun. A precedent can never justify any action that is in itself wicked; a robbery, for instance, on the heaths of Hounslow or Bagshot, of which there are innumerable precedents. The basest actions may be justified by precedents drawn from bad times and bad men. The sole question is, whether this power is not a direct usurpation on the rights of the People? If that is proved, I care not how long the usurpation has continued, how often been practised. It is high time to put an end to it. It was the case of general warrants. One precedent, however, the most insisted upon, I must take notice of, because it is said fully to come up to the point; but, in my opinion, in almost every part it proves the contrary of what it has been brought to support; I mean the remarkable case of Mr. Walpole in 1711, a period

in which the rankest Tory principles were countenanced more than in any period of our history prior to 1760. The case has been so partially quoted, even by a person (Jeremiah Dyson, Esq.) whose sole merit here was an assumed accuracy, which he never possessed, that I shall desire it may be read to the House from our journals, when it will appear to be resolved, "That Robert Walpole, Esq. having been this session of Parliament committed a prisoner to the Tower of London, and expelled this House, for an high breach of trust in the execution of his office, and notorious corruption when Secretary at War, was and is incapable of being elected a member to serve in the present Parliament." Now, Sir, I must observe, that even that Parliament, at an æra so hostile to the liberties not only of England, but of Europe, did not venture to adjudge him incapable of being elected a member to serve in that Parliament only because he was expelled; but in the body of the resolution itself they add another reason, which would be trifling, if one was sufficient and adequate to the point, the high breach of trust in the execution of his office, notorious corruption, when Secretary at War. As trustees for the public, they assigned a cause which must interest every member of the community. In the case of Mr. Wilkes, the late majority declared, "That John Wilkes, Esq. having been in this session of Parliament expelled this House, was and is incapable of being elected a member to serve in this present Parliament." The having being expelled, whether justly or unjustly, is the only reason they gave to the public. I shall not yet, Sir, dismiss the case of Mr. Walpole. It will prove another proposition I have maintained, the injustice of the late majority in seating Mr. Luttrell in this House. The fact is, that the House of Commons having expelled Mr. Walpole, ordered a new writ to issue. At the subsequent election Mr. Walpole was again restored. A Mr. Taylor, who had a minority of votes, petitioned, but the election was vacated. Had the doctrine propagated by the late majority, and by the noble Lord in the blue ribband, been just,

just, Mr. Taylor ought to have been seated; the House should have resolved, *he ought* to have been returned, and the grossest injustice was actually done to him. But even that Parliament, whose memory the nation execrates, dared not to proceed to such enormous wickedness. It was reserved for the present æra, when shame has lost its blush. Mr. Luttrell was for some years declared to represent the county of Middlesex, although a great majority of the freeholders abhorred and reprobated the idea, and on every public occasion declared it.

Sir, when the strong reasons on which any doctrine is founded bear me out, I care little about precedents. I recollect, however, another instance of Mr. Woollaston, which directly meets an objection which has been much relied on, “That expulsion necessarily implies incapacity.” It is the last I shall desire the clerk to read. I wish him to turn to the journals of February 20, 1698, where he will find it resolved, “That Richard Woollaston, Esq. being a member of the House of Commons, and having since been concerned and acted as a receiver of the duties, &c. contrary to the act made in the 5th and 6th of His Majesty’s reign, &c. be expelled this House.” Now, Sir, I defy all the subtlety of the most expert Court lawyer amongst us, all sophistry of the bar, to reconcile this case with the most favourite Court tenet, “That expulsion implies incapacity, because the fact is entertained, that a new writ did issue for the borough of Whitchurch, and that Mr. Woollaston was re-elected, and sat in the same Parliament.” Incapacity therefore does not necessarily follow expulsion.

I am ready to admit, that where a clear legal incapacity exists, all votes given to a person incapacitated are thrown away, if they are knowingly given to them. But, Sir, I beg leave to assert, that this was not the case in the Middlesex election. Mr. Wilkes was qualified by the law of the land, and the freeholders, who perfectly understood the clear point of law as well as their own rights, expressly declared in the petition presented on the 29th of April to the House, “Your petitioners

tioners beg leave to represent to this honourable House, that the said Henry Lawes Luttrell had not the majority of legal votes at the said election; nor did the majority of the freeholders, when they voted for John Wilkes, Esq. mean thereby to throw away their votes, or to wave their right of representation; nor would they by any means have chosen to be represented by the said Henry Lawes Luttrell, Esq. Your petitioners therefore apprehend he cannot sit as the representative of the said county in Parliament, without a manifest infringement of the rights and privileges of the freeholders thereof."

This House, Sir, is created by the People, as the other is by the King. What right can the majority have to say to any county, city, or borough, you shall not have a particular person your representative, only because he is obnoxious to us, when he is qualified by law? Every county, city, or borough, has an equal right with all other counties, cities, and boroughs, to its particular deputy in the great Council of the nation. Each is distinct, free, and independent. I do not mean, Sir, now to enter into the argument, whether it may not be fit to give this House the power of expulsion in the first instance for very flagrant and infamous crimes, either committed, or of which the member may be convicted, subsequent to his election. That might seem an appeal to the People, the sending the member back to his constituents. If, however, they differ in opinion from the House, and re-elect him, he ought to sit, because he claims his seat under the same authority each member holds his, a delegation from the People. The first appeal to the constituents may seem just. The appeal certainly lies to them, and it is by their representation only you are a House of Parliament. They have the right of chusing for themselves, not you for them.

Sir, I will venture to assert, that the law of the land, by which all Courts of Judicature are equally bound, is overturned by the powers lately exercised by a majority of the House. The right of election is placed not in you, but in
other

other hands, in those of your constituents. Your predecessors not only robbed a particular county of its noblest privileges, but they changed the constitution of a House of Commons. The freeholders of this county and the nation abhorred the action, and poured their execrations on the authors. But, Sir, if you can expel whom you please, and reject those disagreeable to you, the House will be self-created and self-existing. The original idea of your representing the People will be lost. The consequences of such a principle are to the highest degree alarming. A more forcible engine of despotism cannot be put into the hands of any Minister. I wish gentlemen would attend to the plain consequences of such proceedings, and consider how they may be brought home to themselves. A member hated or dreaded by the Minister is accused of any crime; for instance, of having written a pretended libel: I mention this instance as the crime least likely to be committed by most of the members of this House. No proof whatever is given on oath before you, because you cannot administer an oath. The Minister invades immediately the right of Juries. Before any trial, he gets the paper voted a libel, and the member whom he wishes to have expelled, is deemed to be the author; which fact you are not competent to try. Expulsion means, as it is pretended, incapacity. The member is adjudged incapable; he cannot be re-elected; and thus is he excluded from Parliament. A Minister by such manœuvres may garble a House of Commons till not a single enemy of his own, or friend of his country, is left here, and the representation of the People is in a great degree lost. Corruption had not lent despotism wings to fly so high in the times of Charles I., or the Minister of that day would have been contented with expelling Hampden and the four other heroes, because they had immediately been adjudged incapable, and he thereby incapacitated them from thwarting in Parliament the arbitrary measures of a wicked Court.

Upon

Upon all these considerations, in order to quiet the minds of the people, to restore our violated constitution to its original purity, to vindicate the injured rights of this county in particular, and of all the electors of this kingdom, and that not the least trace of the violence and injustice of the last Parliament may disgrace our records, I humbly move, "That the resolution of this House, of the 17th of February, 1769, 'That John Wilkes, Esq. having been in this session of Parliament expelled this House, was and is incapable of sitting in the present Parliament,' be expunged from the journals of this House, as being subversive of the rights of the whole body of electors of this kingdom."

Mr. Wilkes, February 21, 1775.

The urgency of the matter I am going to move, induces me to take this early notice of it, as it is interesting to our constitution, and the rights and liberties of a free people. I need hardly, I presume, mention, that what I allude to is the Westminster election; the result of which is a novelty in the laws of this country and in the laws of Parliament. I could not imagine that any Returning Officer would be bold enough to commit an infraction of those laws which have cost our ancestors so much trouble. I was therefore surprised that the High Bailiff of Westminster should, contrary to the common practice at elections, refuse to make a return, notwithstanding a scrutiny had been demanded by the unsuccessful candidate. It was an attempt to alter the established laws of the land; which expressly declared, that the officer should make a return within the time limited by Act of Parliament, according to the voice or sense of a *legal majority* of voters. [Hear! Hear! Hear! now resounded from the opposite side of the House.] I am sensible of the partiality of some gentlemen of a certain description, and therefore I am not surprised at their exclamations of Hear! Hear! Hear! But I cannot conceive why the phrase *legal majority* should be so particularly noticed by them.

I confess

I confess I am at a loss to find any case that bears the least similarity to the present. Of all the election causes in which I have had the honour to be concerned, and during my practice there have been many, I declare that I cannot say there is a single one which has the least affinity to that alluded to. According to Act of Parliament, the High Bailiff of Westminster should have made his return immediately at the final close of the poll; and should not have given a refusal, because a scrutiny had been demanded by Sir Cecil Wray. This mode of conduct was contrary to the statutes 10th and 11th of King William, chap. 7th, and therefore deserved reprehension. To convince the House of the propriety of this procedure, I beg leave to quote the very words of the Act of Parliament to which I allude. [He then read the following quotation.] "For preventing abuses in the returns of writs of summons for the calling and assembling of any Parliament for the future, or writs for the choice of any new members to serve in Parliament; and to the end such writs may, by the proper officer or his deputy, be duly returned and delivered to the Clerk of the Crown, to be by him filed, according to the ancient and legal course: Be it enacted, by the King's Most Excellent Majesty, &c. That the Sheriff or other officer, having the execution or return of any such writ, which shall be issued for the future, shall, on or before the day that any future Parliament shall be called to meet, (and with all convenient expedition, not exceeding fourteen days after any election made by virtue of any new writ) either in person, or by his deputy, make return of the same to the Clerk of the Crown in the High Court of Chancery, to be by him filed." It was depriving the electors of their representatives, and the nation of the exertions of two men, whose political efforts might be of service at this important crisis. I have not the honour of being intimately connected with Lord Hood, although I can boast of an intimacy with the right honourable gentleman (Mr. Fox); but surely the services of both these men should not at this time be lost to their

their friends of Westminster, who have taken a very active part in their election. I stand up for the privileges of a member of Parliament; I stand up for the privileges of the People; I profess I know very little about the character or disposition of the Returning Officer for Westminster; but I am fully persuaded that his conduct, in this case, is highly culpable. I do not wish to postpone the consideration of His Majesty's speech; but I feel so seriously for the consequences, if the whim or caprice of a Returning Officer is indulged, that, with submission to the House, I apprehend an investigation into the causes for delaying the return of the members to serve for Westminster should precede every other business. Sensible of the expediency of bringing a question of such magnitude before the House, I think it a duty incumbent upon me to take the earliest opportunity to discharge the trust reposed in me by the public. Why not decide the contest in the usual manner, by petitioning the House, and appointing a Committee to examine into the merits of the different candidates? This has been the practice of all other Parliaments; and I hope the present will not deviate from the steps of their ancestors, whose maxims of policy have been wise and consistent, and agreeable to the established laws of the land. Considering all these facts, I confess that I do not approve of committing a decision of such importance to the High Bailiff of Westminster; therefore I wish to have the matter brought before the House as early as possible, as it is a constitutional question of that nature, as to demand the most serious attention of every friend to this country.

Mr. Lee, May 24, 1784.

The learned gentleman (Mr. Lee) has, in a very laboured speech, laid down a great deal of law on the subject of elections; but the learned gentleman, for reasons best known to himself, has neglected to give the House any information that is applicable to the case of the late Westminster election.

The learned gentleman has informed the House, that on a scrutiny the High Bailiff of Westminster has no authority by law to administer an oath to any person to be examined as an evidence, and therefore the scrutiny had been lawfully demanded and granted. He objects to its being permitted to go on; but it would have been kind in the learned gentleman, if he had imparted rather more of his legal knowledge to the House, by informing this assembly of what is equally unquestionably true, namely, that it is not in the power of the High Bailiff to administer such an oath even during the poll. Yet the learned gentleman must acknowledge, that the law makes the High Bailiff a judicial officer during the poll. He has, then, no reason to object to his acting in the same capacity, with the same powers, during the poll.

The learned gentleman ought to have informed the House, which he has neglected to do, that the Returning Officer by law is obliged to take an oath, previous to his acting in that capacity; that oath is to be found in the statute of the 2d of George II. chap. 24, sect. 3, and it contains these words, viz.

I will return such person or persons as shall, to the best of my judgement, appear to me to have the majority of legal votes.

It is evident, from the nature of this oath, that the Returning Officer is by law not only a ministerial, but a judicial officer. He is ordered to form a judgement before he makes his return. The law which enacts, that any man is to judge, does of course enact, that he is first to hear the cause on which he is to decide. If he is to hear the cause, he must evidently take such time as shall be absolutely necessary for him to hear it. Between 12 and 13,000 persons have polled at the late Westminster election. The Returning Officer had it not in his power to examine the validity of all these votes during the poll; therefore he takes a longer time to hear the cause; that is to say, he grants a scrutiny. Upon what, in his judicial capacity, is he to form a judgement? Upon the majority of legal votes. He is now going upon that inquiry, agreeable to the

the solemn oath which he has taken. After he had heard the cause, and formed a judgement, what is he to do next? Read the oath, and it will appear, that he is then, and not before, to make his return of the person or persons who shall appear to him to have the majority of legal votes. Nothing therefore can be more clear, than that the Returning Officer, having taken that oath, did right to grant a scrutiny, if legally and duly demanded; provided that he had it not in his power to have scrutinized all the votes during the poll, and provided he had good reason to doubt (after the poll was concluded) whether both or either of the persons who had the apparent majority on the poll, had the real majority of legal votes.

The learned gentleman has not chosen to put his law in jeopardy in this House, by maintaining the very singular argument, which the newspapers inform us, was made use of out of this House; not by a learned, but by an ingenious and right honourable gentleman (Mr. Fox), who was pleased to say, that the High Bailiff could not proceed in this scrutiny; because, from the moment that the writ became returnable, the High Bailiff was *functus officio*, and was as little capable, in law, of going on with the scrutiny, or of making a return for Westminster, as if he were merely the High Bailiff of any other city, or as if he were the Sheriff of Cumberland.

On the day the writ became returnable, the Returning Officer for Westminster could form no judgement who had the majority of legal votes. He then determined to take the necessary time to hear the evidence on which he was to form his judgement. He has the power, nay, it is his duty as Returning Officer, after having formed his judgement, to make, agreeably to his oath, a return of members. He is therefore clearly not *functus officio*, but is bound to make a return; which return must evidently follow, and not precede his forming a judgement upon the question of the majority of legal votes. If he be not *functus officio* when he makes the return, it is evident that he cannot be *functus officio* at any anterior period; that is, he is not *functus officio*, as it has been asserted,

during the scrutiny. This idle idea of the Returning Officer being *functus officio*, pending the scrutiny, is too absurd almost to deserve an answer.

The learned gentleman has quoted to the House, as an unanswerable proof of the delinquency of the High Bailiff, the statute of the 10th and 11th William III. chap. 7, sect. 1. It is not a little singular that any man, calling himself a lawyer, should quote that statute for that purpose.

By this statute I have no doubt in my own mind what is the proper construction of it. In the first place, I would be bold to maintain, that that law relates to writs, and writs only, and has nothing whatsoever to do with precepts; and gentlemen well know, that a writ had been issued from the Clerk of the Crown to the Sheriff of the county of Middlesex, and that the Sheriff of Middlesex did then deliver, not a writ, but a precept, to the High Bailiff of the city of Westminster. It is evident, from a variety of circumstances, that that statute does not relate to precepts.

The act never mentions the word precept. The penalty of 500l. that it inflicts, is relative to the return of writs; and as it is a penal statute, it must be construed literally, and not otherwise. The reason why it alludes to writs only, will appear evident from an attentive examination of the principle of the law of elections, as contained in the statutes of the 5th of Richard II. chap. 4; of the 7th of Henry IV. chap. 15; of the 11th of Henry IV. chap. 1; of the 23d of Henry VI. chap. 14; and of the 7th and 8th of William III. chap. 7.

That this statute of the 10th and 11th of William III. does not allude to precepts, but to writs only, is farther evident, from this consideration; that it is enacted therein, that "the Sheriff, or other officer, making such return, shall pay to the Clerk of the Crown the ancient and lawful fees of four shillings," &c. Now it is evident, that the High Bailiff of Westminster has no fees to pay to the Clerk of the Crown; and therefore this Act of Parliament does not relate to his precept,

but

but solely to writs. The other words of the act make it equally clear.

Some other learned gentlemen may perhaps think fit to argue, that the said statute is not confined to writs, because it speaks of "the Sheriff, or other officer, having the execution and return of any such writ." But the second section of the statute clearly explains who is meant by that other officer, namely, the proper officer of the Cinque Ports, to whom an additional time is allowed to issue the precepts therein mentioned, and who has the return of a writ, as well as the Sheriff of a county.

But let it be supposed for a moment, solely for the sake of argument, that that Act of Parliament does extend to the return of precepts, as well as to the return of writs. Then it will be answered by the High Bailiff, that a return has been made in due time, viz. a special return; therefore the High Bailiff has complied with the direction of the law, even admitting that the statute of the 10th and 11th of William III. to fully extend to the case of the High Bailiff of Westminster, the House ought not to censure him, but ought to order him to proceed in his scrutiny, provided the High Bailiff can shew that he has granted it on good grounds.

The statute enacts, in the first place, that in the case of a general election, a return shall be made to the Clerk of the Crown "on or before the day that the Parliament shall be called to meet."

It enacts, in the next place, that, in the case of "any new writ," issued in the middle of a Parliament, a return shall be made to the Clerk of the Crown "with all convenient expedition, not exceeding fourteen days after the election."

[The Clerk then read the proceedings of the House in the famous case of the Westminster election, when Lord Trentham and Sir George Vandeput were the candidates; and which election was in consequence of a new writ in the middle of a

Parliament. See the Journals of the House of Commons of the 22d and 23d days of February, 1749.]

On the 22d of February, "Notice is taken that no return had been made to the writ for the electing a citizen to serve in Parliament for the city of Westminster." Upon this the House ordered the High Bailiff to attend.

The next day the High Bailiff did attend, and was examined.

Did the House commit him? No.—Did the House order him to make a return before he had finished the scrutiny which he had granted? No.—Did the House censure him for having disobeyed the statute of the 10th and 11th of William III. by not having made a return within the first fourteen days after the election? No.—"The Speaker, by the direction of the House, recommended to him some particulars of his duty; assured him that the House would support him in the discharge thereof, and hoped that he would use all possible dispatch."

The House ought therefore, in the present instance, not to prejudge the question. They ought to do, in this instance, what the House wisely did in the year 1749, viz. to order the High Bailiff to attend, and to hear him, before he is condemned. If the House, after having examined the High Bailiff, should be of opinion that he did right to grant a scrutiny, they ought strictly to follow the excellent precedent in the case of Trentham, by ordering the High Bailiff "to take care to expedite the election as much as possible." [Mr. Fox cried out, Hear! Hear!] I now find, says Lord Mahon, the manner in which the right honourable gentleman, who cries hear! means to argue this question. He means to admit, that the case of the former Westminster election would, in substance, be similar to the present, if the statute of the 10th and 11th of William III. had enacted, in the case of a new writ in the middle of a Parliament, that the return shall be made not within fourteen days after the end of the election, but within

within fourteen days after the end of the poll. The right honourable gentleman means to ground his right to be returned upon the distinction between the poll and the election. He means to argue, that the return in the former Westminster election was right, because, though it were made months after the poll, it was made previous to the 14th day after the election. Why? Because the right honourable gentleman means to contend, that the scrutiny was part of the election. That the scrutiny not being concluded, the election was not concluded; and that therefore no return could be made till the election was over.

[Mr. Fox cried out again, Hear! Hear!] I am happy that Mr. Fox agrees to this way of stating the argument. I cannot, however, sufficiently admire the contradictions between Mr. Fox and Mr. Fox's learned friend (Mr. Lee) whose words I have just taken down in writing. Mr. Lee laid it down as a principle, "that the end of the *poll* was the end of the *election*." That was the law of the learned gentleman. But the law of the right honourable gentleman is, "that the end of the poll is *not* the end of the election." The right honourable gentleman, having undertaken to defend a bad cause, has got into the most complete dilemma possible. For, if the statute of the 10th and 11th of William III. is not applicable to precepts, that statute has nothing to do with the Westminster election. If that statute is applicable to precepts, and that, according to the learned gentleman, Mr. Lee, the end of the poll is the end of the election, the precedent laid down by the House in the former Westminster election clearly proves that Mr. Fox ought not to be returned, but that the scrutiny ought to be suffered to continue. If, on the contrary, the law of the right honourable gentleman (Mr. Fox) is right, namely, that when a scrutiny is granted, the end of the scrutiny, and not the end of the poll, is the end of the election; then, as the present scrutiny for Westminster is not over, the West-

minster election is not yet over; and Mr. Fox cannot be returned as duly elected until the election shall be over.

The right honourable gentleman has, however, the decency, the moderation, and the modesty, to demand of this House, that he (Mr. Fox) should be seated for Westminster; though he himself contends, that, according to law, the election is not concluded, inasmuch as the scrutiny is not over.

Lord Mahon, May 24, 1784.

IF it had been for me to have chosen, I should have put off the risk of my first attempt in the debates of this House to a much later period; because I should have thought it more prudent, as well as more becoming, to mark, by a silent attention, the respect which I entertain for the first abilities of the kingdom, upon both sides of the argument — abilities enlightened by political experience, and improved by habits of political reasoning. I can say too, with equal veracity, that I would have preferred any topic to this, because it is new, of extreme delicacy in its consequences, and of immediate concern to the right honourable petitioner (Mr. Fox) whose manliness of spirit I will so far endeavour to imitate, that I will for ever disdain the surrender of my conviction, even to him; but whose figure in this country, and strenuous opposition to the Minister of the day, makes it a very unwelcome task to act, even in a judicial character, against a point which he has made with a declared view to his own political character, though in form he has made it as party in a suit.

But I have no choice. First principles of the government have been forced into the debate — neutrality would be cowardice to the argument, as the public opinion is engaged in it; and a vote unexplained would subject even me, insignificant as I am, to the odium of that prejudice which has found its way from one side of the bar to the corresponding side of the House. I may be called the desperate partisan of a measure to which no ingenious motives can be assigned, which has no principle of law

law to sustain it, and which no liberal argument can reconcile to the feelings or the good sense of dispassionate men. I confess my ambition to lay aside the advocate here, and stand upon higher ground, in support of a Constitution which I revere, unfettered by technical subtleties, and speaking with its genuine character, simplicity.

I am not, Sir, one of those grave and authoritative lawyers who have been catechised by an honourable friend of mine, (Mr. Powys) and who have to thank him for a very peculiar compliment. He tells them they speak without party views, or, as he expressed it, *without a side*; as if the rest of the House, including the country gentlemen, (to which rank he belongs) were less independent. Whether I have a side except that of truth, I will not presume to intimate; but throw myself upon the candour of the public for their opinion of my future conduct, without assurances or professions.

In a few and plain words, pointed closely to the subject, I wish to mark those broad principles upon which I act, against the motion first made.

What is called a return has no magic in the sound of the word: it is a mode and form by which the electors convey the object of their choice into Parliament—election is the substance, and it is no election if it is not complete. Before its completion two doubts may arise; one, as to the number of the voters for each competitor; another, as to the right.—A poll is the method used for ascertaining the number; and if, during that poll, the right has been imperfectly canvassed, what are called scrutinies, have been received for the purpose of a more accurate search into the right. A poll, if demanded, is an essential and continuing part of an election; and while that poll is depending, the election is not more complete than if it never had begun. The same is true of scrutinies—once admitted, they suspend the return, because they continue and keep alive the act of election,

That scrutinies, upon a fair case of doubt, are justified by the law and custom of Parliament, it is impossible to deny : and it is an unfinished election, after scrutinies have been granted, up to the moment of closing them.

Let me, then, ask in general, if this House can ever interrupt an unfinished election ? If it can, one or other of these consequences must happen—either the House will, itself, elect, by continuing, or by recommencing and closing the interrupted act, in which case it ceases to be a court of appeal—or the seat will precede the choice, or the appeal precede the judgement. Who can form an idea more preposterous ? And who will believe that such is, or can be, the constitution of Parliament ?

That scrutinies are bad expedients, I admit ; all scrutinies, whether sitting the Parliament, or upon a general election. They are dangerous instruments of power on the one hand, or faction upon the other ; and I shall, with pleasure, give my support, as far as it goes, to any honourable member who will form a bill to abolish them, or make them innocent and useful.

But I cannot suppress my astonishment, that where the topic *ab inconvenienti* is pressed into the service, that another inconvenience is overlooked.—Imagine the petitioner's doctrine to be carried, and what an alarming power is given to the King or the Minister !—He wants to be rid of a popular candidate. This precedent will give him a receipt for it : let him first cram the poll ; pour into it all the bad votes that a lane or a hedge can furnish ; then feed it (the words are become technical) by two or three votes in an hour, till the return day arrives, or is not far off. Scrutinies will then be of no avail ; and the servile courtier, who has not half the legal votes of his adversary, will deter him, by the expence of a petition, from an attempt upon the seat.

But what are the admissions of the argument ? Have gentlemen weighed them as they deserve to be weighed ? It is admitted,

ted, that sitting a Parliament, scrutinies to an indefinite period, are, if a case be made for them, parts of an election, which the House have no power to interrupt; yet there, every argument pressed in this debate against the danger of scrutinies upon a general election, has equal force. It may there be said, "the House is not full; Mr. Grenville's judicature is delayed; the popular candidate is excluded; and the city or county is taxed, though unrepresented."

As to Mr. Grenville's bill, such a grose fallacy was never attempted, as to argue that scrutinies interfere with it, and elude the policy of it. Scrutinies, in point of right, are just as they stood before that bill; and I may, with sounder argument, give them an obvious preference over the control of the House at large. That bill improved the judgement, but left the subject of it the same. The Committees inherit the rights of the House, to use a good expression of a noble Lord who spoke early in the debate, (Lord Mulgrave;) not all the rights neither, for they have no power of decision beyond the seat; but they have no wider jurisdiction. When I hear such ill-founded penegyrics upon this bill, I suspect false friends to it, and snakes in the grass,

"But a return!—You forget a return!"—As to returns, I know this of them in general, that by the law of Parliament, if they are not built upon a real and complete election, they are no returns at all, but absolutely void.

Analogies of law are called into the argument on both sides; but they are analogies rather from the difference than similitude. In courts of law, a return, if it executes the writ in form, binds the court and the parties, who have no remedy but an action; but in Parliament, a return is waste paper, if it is not confirmed by a real, a due, and a complete election.

Upon this idea, who can be returned while the election proceeds?—If the poll is depending, the candidate who stands first upon it has no better claim to a return than his competitor, who has not three votes: if the poll is checked, by a doubt upon

upon the right, in the form of scrutiny, and that scrutiny is depending, shall he who stands first upon it be returned? Just as impossible.—Shall both be returned? It is ridiculous to imagine it. Nor, except that ridiculous and shameful party job, the Oxfordshire election, will any double return of this kind be found upon the journals of Parliament.

What is the form of your decision upon contested elections? A form as old as the right: “Resolved, That A. B. was elected, and ought to have been returned.” Can it be said that he was elected upon half the poll or scrutiny? And ought he to have been returned if not elected?

But now for the writ, and its exigency—a terrible word!—it must, indeed, work miracles, if it can do what is threatened: it must have the power to make that a complete election between an old Parliament and a new one, which is no election while the Parliament happens to be sitting—It must have the power to make that a return, consistent with an oath, which flies in the face of it. When I am told this exigency of the writ is to carry such points, I suspect the miracle; watch it narrowly, and pick all the holes in it I can. I would catch at any little feather to save the common sense of the subject from such a degree of odium and ridicule. But what is the harm of the writ? It orders a return upon a particular day; but of what kind? A return, accompanied by the certificate of an election. What says the Returning Officer here? “I can certify no election, because I have no election to certify.”—If it was half a poll he would give the same answer; and the degree in which the election is incomplete, makes no difference in the argument, or effect of his plea.

It is admitted, that impossibilities may justify him; and if the poll is delayed by force, or fraud, or external accident, the exigency of the writ may be disobeyed. What is it but an impossibility, that a legal part of the depending election can remain incomplete without prejudice to the return of a complete election?

As to the acts of Parliament, they leave the return of the writ, as accompanied by the certificate of an election, just where they found it; except that when such an election has been made, and the writ can be returned, so accompanied, the Sheriff of the county, who is a ministerial officer, in conveying that certificate home to Parliament, is to make the return upon such a day. The act supposes an election previously determined.

But poor Westminster is to be taxed, though unrepresented. —

Under the tropics is our language spoke,
And part of Flanders has receiv'd our yoke.

We have lost America, 100,000,000 of money, and 100,000 lives, in opposition to the doctrine, that representation is inseparable from taxation; but we pick it up again, to make a noble stand for it in the Westminster election. This may be called the art of sinking in politics.—But if the ridicule could be heightened, of saving Westminster from her share in the tax while she is in the act of electing her own representatives, we forget every case of a double return, and we forget the same injured city upon every new election sitting the Parliament.

As to the real ground of scrutiny, in the case before us, I shall say a very few words. It startled me at first, when the right honourable petitioner got up and said, “As a party, I like this; but as a judge, I think it wrong;” it struck me, that, even with his powers of discernment, he might sometimes forget that he was a judge, and recollect his other situation too well. But when he examined the Deputy Bailiff I was comforted; for there, it must be owned, he forgot that he was a party, and most accurately remembered that he was a judge; nay, he proved himself that species of judge whom our law, by one of its most popular fictions, calls a counsel for the prisoner; for it was the tendency, as well as effect of his questions, to exculpate and justify the High Bailiff. I ask of any
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man of honour, who heard this deputy culprit in the hands of the right honourable gentlemen, if he has a doubt under the circumstances of this poll, that a revision of it was necessary, and essential to justice?

What, then, is to be done?—Return me, said the right honourable petitioner. That prayer is abandoned by his friend, the venerable gentleman (Mr. Ellis) conversant in the rules of Parliament, who made this motion. He says, “Let any return be made; I don’t care which.” If that should be done, you either must compel a judicial officer to act as the minister of your will, and return that which you call an election, but he calls none; or you compel him to judge, when he can form no judgement at all. Are we, then, to issue a new writ, or direct the Bailiff to proceed? I confess, that I should have my doubts upon that subject; and should rather be of opinion, that a new writ should issue, if I went upon the common law of Parliament, applicable to the subject of an unfinished election: but I consider the case of Trentham and Vandeput as a direct precedent in point, that a legal scrutiny must proceed. By the way, this last mode is clearly more eligible for the petitioner than to make the entire election begin again; though his counsel, by a logic unfathomable to me, have pressed for a new writ, as the better expedient of the two. However, that point is not before us; and I shall close what I have said by a negative to the motion, confined, as it is, to the demand of an immediate return.

Mr. Hardinge, June 8, 1784.

H U M O U R.

H U M O U R.

BUT, Sir, of all those who have this day declared themselves against a standing army, I am surpris'd at those who are called, by the patriots, placemen. I know they call us so by way of contempt; but, whatever they think, I shall never be ashamed of serving my country, in any post the Crown pleases to put me in; nor can I look upon it as a discredit to have an honour conferred upon me by what even the patriots themselves must allow to be the only fountain of honour in the nation. I am convinced all placemen are of my opinion, and am surpris'd to hear any placeman arguing in favour of a reduction of the army; for we, who have commissions in the army, must be allowed to be placemen as well as others; and if the spirit of reducing should prevail with respect to military placemen, our civil placemen would do well to look to themselves, for many of our civil posts may be thought as dangerous and as useless as most of our military: nay, I do not know but this spirit may at last attack our established church, by reducing all the useless ecclesiastical posts in the kingdom; in which case, I do not know, but that it might, with some reason, be said, *the church is in danger*. It is commonly said, that two of any trade can never agree; and yet we find, that it is natural for all those of a trade to unite together, and to form a sort of society for their mutual support. I think we placemen ought to do the same; though we sometimes fall out about which of us shall have the better place; yet, when the places themselves are attacked, we ought to unite together for supporting the craft.

Sir J. Sanderson, Jan. 28, 1738.

SINCE

SINCE in the last session we indulged a great many with the privilege of being absent, though we knew they had no excuse, I think those that are now absent have reason to expect, at least, from them the same indulgence. I shall not find fault, Sir, with the privilege gentlemen took to themselves upon that occasion. Whatever was their pretence, they soon found their absence condemned by the whole nation; and, I believe, they have since heartily repented of what they did; which makes me, and I hope it has made their several constituents, readily forgive them. But I cannot forbear taking notice, that the honourable gentleman who spoke last (George Lyttelton, Esq.) puts me in mind of a merry passage in a French play, where a gentleman asks a servant, how her master does? *In a fair way of doing well, Sir*, said she, *for his physicians have just taken their leave of him.*

Horatio Walpole, Esq. Dec. 18, 1739.

IT is true that I have been accessary in bringing a *milkman*, as the honourable gentleman (Mr. Burke) has stated, before this House; but he was far from being one of the rabble; he was so respectable a character, that a magistrate absolutely refused to take four hundred pounds bail for his appearance. The chimney sweeper might also, for ought I know, be a man of as much consequence as some of our modern patriots; nor should I wonder, if a *modern* patriot should be found disguised like a chimney sweeper. I will beg leave, Sir, to pit my chimney sweeper against Parson Horne; a man (for a *gentleman* I cannot call him) by no means so respectable as my *milkman*. I caused the milkman to be brought before you with the very same intent for which you bring a printer to the bar, to discover the author. Modern patriots hired the rabble to traduce their betters; *modern* are as much like *ancient* patriots, as much like *Cato*, or *Brutus*, as the *milkman* was like a Peer. Had I, on that occasion, been properly supported, the House would not now be troubled; but I was traduced, and my life was threat-

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ened, but I only laughed at it ! Indeed, I only shared an equal fate with other respectable personages. I had the honour, Sir, (addressing himself to the Speaker) to be hanged, in effigy, on Tower Hill, on the same gibbet with you.—Indeed, in the dying speeches, the *patriots* paid me the highest compliment, for they gave out, that I died a *penitent* ; but that *you*, Sir, remained *hardened to the last*.

Col. Onslow, Feb. 16, 1773.

FROM what accursed examples our prevailing system of politics is drawn I am at a loss to discover. I can conceive there is nothing of a similar complexion amidst all the voluptuous annals of mankind, unless it be met with in the Memoirs of *Dionysius*, tyrant of Syracuse ; Sir, that monster being determined upon the ruin of a free people of *Reggio*, imposed on them certain exactions, with which he was persuaded they had not the ability to comply.—Hence he found a pretext to invest their territories with a formidable army. After a gallant and desperate defence, they were reduced to an unconditional surrender. *Dionysius* then laid their city in ashes, condemned many of the inhabitants to cruel tortures, and sold the rest for slaves, by beat of drum, to the highest bidder, in a public market place.—How happy, Sir, would it make that mirror of good qualities, our First Lord Commissioner of the Admiralty, were he appointed *drummer* at the city of New York on a like occasion !

Hon. Temple Luttrell, Oct. 31, 1776.

The words “ *influence the members*,” and “ *increase the influence of the Crown*,” were the current and fashionable expressions used in a former debate, as well as the present, which substantially imports the same with the words which have now given such high offence.—For my part, I can see little difference, if any, between influence and corrupt influence, and corrupt influence and downwright plain corruption. I must

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confess, that the sound, however, of the letter is *coarse* and *impolite*, when compared with the former. On this ground, therefore, the whole matter may be explained, to the entire satisfaction of all parties; those who like, and those who dislike, the word corruption; for though it should be given up by one side, the sense will be still retained, and it will completely satisfy such as disapprove of it, that it is to be discarded for ever out of the parliamentary vocabulary. The honourable gentleman (Mr. Alderman Sawbridge) with whom some appear to be so much offended, is a citizen, and has not attained to that height of polite phraseology, for which such as happily reside at the other end of the town are so justly distinguished; for which reason, what a *courtier*, or an *inhabitant* of the west end of the town call *influence*, the worthy Alderman, according to his gross mode of expression, very improperly calls *corruption*.

Mr. Burke, April 18, 1777.

THE noble Lord in the blue ribband (Lord North) has discovered the prettiest method imaginable to recover America. It is, I must confess, a new way; but what of that? it is a forcible, and, for that reason, a successful way? How does his Lordship mean to treat? Why we have been beaten pretty tolerably. One General and his army are lost, the other is surrounded, and in danger; when the other shall be lost, then will be the time to treat. We have been unsuccessful almost in every thing; but it seems, by the noble Lord's new logic, we have not yet been unsuccessful enough. If treaty is spoken of, his Lordship wishes for it, and the end proposed by it; if war is spoken of, his Lordship promises success. In short, whether it be conquest, unconditional submission, treaty, conciliation, taxation, sovereignty, or treating with rebels with arms in their hands, he is for every one of them, and for none of them, but that which immediately answers the temporary purposes of debate; that of voting in a majority, of keeping his place,

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by keeping his friends together, of urging the violent, softening the antagonists, and meeting exactly the ideas of the moderate.

Mr. Fox, Dec. 10, 1777.

I rise, Sir, to object to the motion of the honourable baronet (Sir George Saville) for laying before the House a list of pensioners. Many deserving persons enjoy His Majesty's bounty, who would not wish their names made public; some reduced gentry stand in the same predicament; and there are many Lady Bridgets, Lady Maries and Jennies, who would be much hurt at having their names entered in the proceedings of this House as Pensioners of the State. Pride in general is apt to extend its influence more or less every where; but female pride is sanctioned, and partly approved of by custom; but if Lady Mary and Lady Jenny, who pass as persons of consequence in their respective neighbourhoods, were discovered to be mere pensioners and dependants on a Court, they would soon lose the respect which their rank entitles them to. I know there are several of these Lady Maries and Lady Jennies from North Britain; and surely it would be cruel to rob them of their rights. There are some of these ladies in Ireland, at least some who have pensions on the *Irish* establishment, who, when they have a *good* thing, do not like to lose it.

Lord Nugent, Feb. 15, 1780.

The honourable gentleman (Mr. Coventry) has declared, that men go to jail to enjoy the *luxuries* of a prison, and that four pence a day is a luxury to a debtor, which he ought not to have; and hence he opposes the bill brought in by the noble Lord (Lord Beauchamp) for allowing debtors four pence a day, and clearing persons in execution after so long a term of imprisonment, by giving up their estates. The tables are now fairly turned on the noble Lord, and his bill is so far from being founded, as every body has supposed, on *benevolence* and *humanity*.

nity, that the honourable gentleman (Mr. Coventry) near me has proved it to be founded in *inhumanity*. For what is the *avowed object* of it? To *oblige* men to come out of those prisons in which they live so *luxuriously*! To *force* them to have that liberty which the honourable gentleman has proved to be so unpleasant to men who are debtors.

Mr. Burke, Feb. 28, 1780.

There was, I have heard, an handsome widow, possessed of an handsome income, who lived in a dissenting meeting-house; a well-intentioned man, who attended the service of the day, saw her, and was invited by her to visit her; he fell in love with her, and coming directly to the point, said, "Madam, will you marry me?" She refused him. He still persisted in his request; and she still refused. He then changed his request, and asked her "to let him be her steward." "No, she would not." Her butler? "No." Her cook? "No." Would she entrust him with the care of her wardrobe? "No." After a variety of requests, finding them all denied, he was going away, when on a sudden he turned round, and begged one of her husband's old wigs. The widow, who had refused all his former requisitions, complied with this; and the man, who had asked the widow to give him her person and fortune, was obliged at last to be contented with one of her husband's old wigs. So is the case with me; I would marry the handsome and rich widow *Œconomy*. I fain would have her person and fortune, but finding I can't get them, I have asked to be her treasurer, her steward, her butler, her cook, and her wardrobe keeper—but all in vain! I have got one of her late husband's old wigs, and with that I fear I must walk off contented; but only I beg the Committee will do me the justice to remember, that by my reform bill I did not so far degrade myself as to ask for the old wig solely.

Mr. Burke, March 20, 1780.

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I have at present no respect to the origin of the war, but to the *now* state of it. I consider not what it *has* been, but what in reality it *is*, and what it is likely to be; and I must compare those politicians, who are perpetually murmuring about the *beginning* of the war, to the *idiot* who is accustomed to hear, at certain hours, a village clock, through the mere force of habit, and the association of ideas, continued to count the hours, at the proper periodical times, after the clock had gone to decay, or was broken.

Mr. Courtenay, Nov. 27, 1780.

With respect to the personal altercation between the right honourable gentleman (Mr. Rigby), and an honourable baronet (Sir Joseph Mawbey), *dulness* with the best intentions to be brilliant is often unavoidable. A pig, it is said, never attempts to swim, which is the next thing to soaring, without cutting its throat. Again, it is said, that an eel swims faster in mud, though it has no fins, than fishes that have.

Mr. Courtenay, Nov. 27, 1780.

Perhaps I shall be called "The Old Rat of the Constitution!" The noble Lord who has been pleased to bestow that title upon me, is always inclined to take the greatest liberties with his best friends, and those who really wished him sincerely well. Perhaps the noble Lord thought they would be the last to be offended with him, and I do assure the noble Lord (Lord George Gordon) that I am not offended. There is no harm in the appellation—it was a stroke of innocent humour. I have been puzzled, however, to discover through what chink of the noble Lord's skull the Old Rat has crept into his head, and I have been puzzled to find out why I was called the Old Rat of the Constitution. I saw in the newspapers, that I have been reading this morning, a paragraph upon it, and the news writer was also puzzled to account for the title. He had endeavoured to discover what property of a rat belonged to him.

Did the noble Lord think he was one of those who would run away from the Constitution, when it was in danger, as a rat would run away from a falling house? I do assure the noble Lord that I will not. As long as my friendly limbs will enable me, and friendly I have a right to call them, for they have borne me for nearly seventy-one years, I will stand up and support it; support it to the last hour of my life, let who will endeavour to pull it down and undermine it, under pretext of necessary alteration; better to be buried under the ruins of the Constitution, than to survive it. I will go farther—I will support the Minister; the noble Lord wishes well to his country, and has true love for the Constitution. The noble Lord would sooner die than suffer it to be impaired. I like the noble Lord for it. I have voted with him in the time of his prosperity, and I will vote for him now. Having thus disavowed one of the qualities of a rat, I will tell the House which of the qualities of this animal I admire. A rat is sometimes intent on acquiring good things. It thinks it has a right to visit the bread room, and the cook's cabin. It will go there, but it always cautiously avoids gnawing through the sides of the vessel; it never makes a hole that will endanger the ship. Let the gentlemen in opposition hold this in their minds; let them, if they think they have a right to force their way into the bread room, go there and get their share of the good things; but let them take care how they force a plank out of the ship's side; let them take care that, in their zeal for alteration, they do not sink the vessel. The noble Lord who has called me an old rat, has something of a rat in his own constitution; he likes good things. I remember when the noble Lord was some years ago on a visit to my house; he was fond of going into the cook's pantry and dairy. Indeed I must tell the House, I had at that time a remarkably pretty dairy maid.

Earl Nugent, April 13, 1780.

An expression has dropped from the noble Lord in the blue ribband (Lord North), which, to my surprise, has not been taken up by any gentleman. The noble Lord has said, "he believes it will be found that he has more enemies than friends by the list he had sent to the Bank," as it serves to make me believe that the noble Lord is coming over to the opinion of an honourable friend of mine, who has brought in a bill lately to regulate the civil establishment, and has contended, that taking away from the Minister the power of bestowing great pecuniary emoluments by loans, &c. and of appointing to places, would strengthen the true and proper influence of the Crown, remove a very heavy clog from the wheels of Government, and assist the progress of its operation. By the noble Lord's complaining that the present loan has made him enemies, if his Lordship is sincere in his present declaration, it would not be at all surprising, if, in a few days, the noble Lord should bring in a bill for abolishing *all* those places, lest, *by keeping them up*, and making enemies to Government by them, *he should destroy the influence of the Crown!*

Mr. Sheridan, March 12, 1781.

I do not wish to tire the House with a second dissertation upon optics, but I cannot help mentioning a circumstance which struck me a few days ago as I was walking along. Passing by a mathematical-instrument shop, I saw the picture of a distorted visage, which I could hardly make out; I thought, however, it might represent Britannia weeping. I had the curiosity to step into the shop, and examined it through another glass, when, to my surprise, I found it to be a laughing man. I thought with myself, that whilst Britannia weeps, those will laugh that win.

I do not deny but some remedy is wanting for the disorders which prevail in our India affairs; but I think corrections and alterations should be tried before amputation should be so suddenly determined on; and I much question whether the prescrip-

tions of the right honourable Galen, and his dearly-beloved brother, Doctor Sangrado, will be efficacious towards a cure; though I doubt not both the one and the other would pocket some good fees for their nauseous draught, which is soon expected to operate by a most violent evacuation on the whole Court of Directors of the East-India Company. Besides, it is agreed on all hands (I speak with submission to the faculty) that where seven physicians and nine apothecaries are called in, as a worthy member of this House has before stiled the new Directors and their subs, the death of the patient is at hand. I mean not at all to reflect on the right honourable Secretary's *Congé d'Elire*, much less on the Directors who were nominated by virtue of that *Congé d'Elire*; on the contrary, if the East-India bill must pass, I congratulate the House on the choice, as I know there are among them men of integrity, men of sense, and men of business.

Sir Richard Hill, Dec. 1, 1783.

An honourable baronet (Sir Joseph Mawbey) has been liberal of abuse on the Ordnance Office: this is a happy constitution, where a man may speak what he pleases; nay, if he pleases, without knowing what he is saying, or caring whether any one pays the least attention to what he says. Such a man may talk of augéan stables; but happy it is that the honourable baronet's expressions are generally harmless in their effect: it might be otherwise, indeed, if he had been acquainted with the manner in which Alexander the Sixth, and his son, Cæsar Borgia, used to make a deadly poison, which came from the mouth of a pig. Voltaire, in his Universal History, speaking of this poison, relates, that Alexander and his son used to tie up a pig by the hind legs, and beat him till he frothed at the mouth; some of this froth, administered in a cup of wine to a man, was

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an infallible passport to eternity. What a happiness it is to the House that there is no such frothy orator in it!

Mr. Courtenay, Dec. 12, 1783.

The right honourable gentleman (Mr. Fox) who began the debate, has said a great deal about the late Administration's having been turned out by the secret influence of the Crown. I desire to know what the Administration preceding the last has been turned out for, but for having made a peace, which the right honourable gentleman had declared must be made at any rate, though he could not make it himself? The right honourable gentleman has of late praised majorities very highly; this has not however been his practice formerly. The right honourable gentleman must either be right or wrong in his newly-adopted opinion of the virtue and merit of majorities. If he is wrong, why so much boasting of glorious majorities? If he is right, he will please to remember that majorities, by the single monosyllable *yes*, have condemned his conduct for many years together. But this is not the only point in which the right honourable gentleman has changed his opinion. He must give me leave to remind him, that on the division upon Sir John Rous's motion, three sessions since, he clapped his back to the Lobby door, and exclaimed, "No Coalition!" yet he soon afterwards found that "no Coalition, no Treasury Bench," and he accommodated himself to the maxim, which he found best suited his advancement. I will beg leave to conclude my speech with the following story:

"There were two neighbouring farmers, who for many years had borne the most cordial enmity to each other. So great was their antipathy, that each declared they *durst not trust themselves in a room with the other*. At last, however, farmer Whighouse says to farmer Toryman,—Farmer, what are you and I about? We are neither of us likely to thrive in the world by all this jangling and snarling? I have a proposal to make to you, by which we may both get money
"apace,

“ apace, and provide for our numerous and clamorous families. We have both of us a great deal of *dirty work* to do, and if you will lend me your horses to draw me through the *mire*, I will lend you mine; so let us e’en join our teams together.—Why, neighbour Whighouse, I like your proposal very well, says farmer Toryman, but I fear our horses won’t *draw well together*. I am apt to fear they will find the chains rather galling, and that they will *kick, and wince, and start, and run restive*.

“ Never fear that, Mr. Toryman, says Mr. Whighouse, we must pat ’em and coax ’em, and feed ’em with good hay and corn, and give some of them *fine trappings*, and then never fear but we shall make them so tractable, that we may ride ’em ourselves with ease, though to be sure we are neither of us very light weights.

“ Now all former animosities were to be forgotten, and upon every occasion they called one another my good friend Mr. Whighouse, and my worthy neighbour Mr. Toryman. This to be sure made the neighbours laugh. But matters soon took a serious turn, for these two overgrown farmers began to encroach upon their neighbours, to break down their fences, and were proceeding to seize their very deeds and leases, when a worthy gentleman in the neighbourhood, finding how matters were going on, went and informed their worthy landlord of their proceedings, who dismissed them from their farms, in order to make room for better tenants.”

Sir Richard Hill, Jan. 20, 1784.

This tax, which the honourable gentleman (Mr. Sheridan) has acted so violent a part against, is not to be considered as a tax on women by the name of women, as the honourable gentleman has stated it to be, but a tax on the property of the master, and, in my opinion, a very fair one. In short, I conceive this *maid’s tragedy*, which the honourable gentleman has given us, and acted on the present occasion, to be rather a performance

formance calculated to expose my right honourable friend, (Mr. Pitt) than a serious matter of fair complaint against the tax, which is imposed with so light a hand, that no master, or maid, can have real cause to state it as a grievance and a hardship.

Mr. Jenkinson, May 10, 1785.

Undoubtedly the return must, by every unprejudiced man, be considered as an *inadequate* compensation for what we give up in the Irish propositions; it is the surplus of an hereditary revenue that never will produce a surplus, or if it does, that can at the highest pitch of expectation be rated at more than the enabling us, at some time or other within the course of the present century, to victual a few frigates with pickled *pork* and *biscuit*! This reminds me of Voltaire's account of an unfortunate man, who had lost a leg and an arm in one place, had his nose cut off and his eyes put out in another, had been hung up and cut down in a third, had been imprisoned by the inquisition and condemned to be burnt, and at last found himself chained to the oar as a galley slave, and who nevertheless consoled himself with saying, "Thank God for all I have suffered! I should not otherwise have known the luxury of eating *orange chips* and *pistachio nuts*, in the harbour of Constantinople."

Lord North, May 30, 1785.

All the idea of the necessity of a parliamentary reform, I am persuaded, is the mere vapour of a dream, the shadow of a shade, empty whim and fanciful nothing, from which the right honourable gentleman (Mr. Pitt) endeavours to conjure up something; but I rely on the good sense and sound reason of the majority, trusting that they will break the spell, and prevent the magicians from practising on a subject that ought to be held sacred. Even admitting, for the sake of argument, and I shall not wish to be thought serious in admitting for a moment, that any alteration is actually necessary; yet I shall contend,

contend, that the alteration proposed is not adapted to the feigned evil. I beg to know, where there exists in Europe, or on the face of the globe, a people so happy as those under the British Constitution? Where is there a people so fully in possession of their rights and liberties? The fact is undeniable; what matter it then, whether persons who sit in this House, the guardians of the public freedom, sit by virtue of having been elected for a burgage tenure, a borough, or county? While the People's rights are secure, and their liberties safe, why is it necessary to go into a minute inquiry how they come to be secure and safe? The means were provided by our ancestors, and have been sanctioned by experience, the test of truth. The right honourable gentleman, like a quack, however, is desirous of having the dose swallowed, whether the patient has any disease or not; and, like a true empiric, will insist upon it that his pill is specific, and will cure patients in all cases, and under all circumstances. The subject is too serious to be ludicrous upon; but I will just state, that the right honourable gentleman reminds me of the *Mock Doctor* in Moliere's farce. I suppose the Speaker has either seen or read the book, and will recollect, that a man's daughter is supposed to be *dumb*, and he sends for a physician to cure her. The Doctor comes, and soon restores the girl to the use of her tongue, which she exercises so fluently, that the father offers him another fee to make her dumb again; when the Doctor replies, "he can't do that, but if he pleases, he'll undertake to make him *deaf*."

Lord North, April 18, 1785.

LIBERTY

LIBERTY OF THE SUBJECT.

MY Lords, the liberty of the press is what, I think, ought to be sacred to every Englishman, and I dare answer for it, will ever be to your Lordships. But, my Lords, though the liberty of the press is in every body's mouth, yet I am afraid there is nothing less understood than the nature of that liberty. My Lords, I have often desired an opportunity of delivering to your Lordships my sentiments, with regard to the liberty of the press; and as that expression has been mentioned in this debate, I think I cannot have a fairer opportunity of doing it than the present; but I hope your Lordships, beforehand, will acquit me of any affectation to appear singular upon this occasion. I do assure you, my Lords, I shall speak my sentiments, and what occurs to me from the most mature reflection I am able to make upon the nature of our Constitution and Government.

The liberty of the press, my Lords, is by most people, I know, taken for a liberty to publish every indecency of any kind against the most respectable persons and the highest characters; and so strongly does this notion prevail, that a libeller is no sooner prosecuted, than a cry is immediately set up, that the liberty of the press is endangered. But, my Lords, give me leave to say, that if the liberty of the press consists in defamation, it were much better we were without any such liberty. My notion, my Lords, is, that the words, *The Liberty of the Press*, are improperly used to express a right, which is peculiar to the press, of publishing to the world any defamatory matter to the prejudice of a superior, inferior, or equal. My Lords, the laws and constitution of England know of no such liberty; for that would be a liberty destructive of all laws and all constitutions. How these words came to prevail was, my Lords,

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in my opinion, in this manner ; Before the art of printing was known in Europe, learning was confined to a very few ; at that time the transcribers and copiers of books were a very considerable body of men, and were under particular regulations by law. When printing was discovered, these restrictions fell of course, and then every man was at liberty to communicate, at an easy expence, his labours and thoughts on every subject to the whole world. This, my Lords, was found so very convenient, that thence arose the words, *The Liberty of the Press*. That this is the natural original of these words, my Lords, will appear from considering the nature of our laws, with regard to defamatory libels, before printing was discovered, compared with what it is now. My Lords, before the discovery of printing, very strong statutes were made against defamation, which very statutes are still in force ; and no man, my Lords, will shew me any one statute upon this head, that was in force before the discovery of printing, which has been since repealed. From this, my Lords, I think it evident, that by the expression, *The Liberty of the Press*, can never be understood any liberty which the press acquired, and which was unknown before the discovery of printing. This, I hope, your Lordships will find a fair and a just way of reasoning, and, indeed, the only way in which we can reason on this subject. If any body, my Lords, is of opinion that authors acquired any new privileges or liberties when printing was discovered, he ought to prove, my Lords, either that the old statutes on that subject were repealed, or that new ones were made in its favour, which, I will venture to say, no man can do. It is true, my Lords, that in some reigns very great restraints have been laid on the press, and very great severities inflicted on authors and printers for publishing that which would now pass current. But this never proves, that the laws relating to defamation were bad ones ; it only proves that they were abused by power. I am very sensible, my Lords, of how much use the press was at the time of the revolution ; but the authors who wrote at
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that time on the side of Liberty, advanced nothing that was not agreeable to the Constitution; they were warranted by law for what they wrote, and they had the sense of the nation on their side. Besides, my Lords, there is a great difference betwixt an author's writing on a speculative subject, on which he thinks he has something to communicate that may be of service to the world, and an author's falling foul on all mankind because they are not of his way of thinking. The authors on the side of the Revolution, my Lords, communicated their sentiments with the greatest deference to the persons and characters of their superiors, unmixed with personal calumnies, or virulent reflections. Therefore, my Lords, it is a groundless reflection and cry against the Government, when a libeller is punished, to compare the conduct of this Government to that before the Revolution, unless those gentlemen can prove, to the satisfaction of a Jury, that they write with as much caution, and with as much decency, as the writers who, in the reigns of King Charles the Second and King James the Second, wrote on the principles of Liberty.

Having said thus much, my Lords, I cannot help taking notice of another very common mistake, with regard to the freedom which some gentlemen think themselves intitled to, in censuring the conduct of their superiors. My Lords, this is a freedom unknown to our Constitution, and subversive of our statutes, because a great part of our laws are intended for the relief of any person who is injured by another. Any person, my Lords, who is injured by another, were this last the greatest subject in the kingdom, has the Courts of Justice open for his relief, and he has a Jury who will do him justice according to the nature of the case, and then the law is satisfied. No man, my Lords, is at liberty, by our laws, to carry his resentment farther; because, if he carries it farther, he carries it beyond law. From this, my Lords, it is plain, that whoever attempts to attack any man's character, by writing or publishing defamatory libels, is guilty of a trespass, and can plead no mitigation

tion of his crime, either from the nature of our Constitution, or the tenor of our laws. My Lords, I am sensible this doctrine sounds odd at a time of day when the People, under the notion of liberty, are quite intoxicated with a spirit of licentiousness.

Lord Chancellor, Feb. 5, 1739.

I think it my duty, Sir, to lay before the House a few facts, which have occurred since our last meeting, because, in my humble opinion, (which I shall always submit to this House) the rights of all the commons of England and the privileges of Parliament have, in my person, been highly violated; I shall at present content myself with barely stating the facts, and leave the mode of proceeding to the wisdom of the House.

On the 30th of April, in the morning, I was made a prisoner in my own house by some of the King's messengers. I demanded by what authority they had forced their way into my room, and was shewn a warrant in which no person was named in particular, but generally the authors, printers, and publishers, of a seditious and treasonable paper, entitled, *The North Britain*, No. 45. The messengers insisted on my going before Lord Halifax, which I absolutely refused, because the warrant was, I thought, illegal, and did not respect me. I applied, by my friends, to the Court of Common Pleas, for a *habeas corpus*, which was granted; but as the office was not then open, it could not immediately issue. I was afterwards carried, by violence, before the Earls of Egremont and Halifax, whom I informed of the orders given by the Court of Common Pleas for the *habeas corpus*; and I enlarged upon this subject to Mr. Webb, the Solicitor of the Treasury. I was, however, hurried away to the Tower by another warrant, which declared me the author and publisher of a most infamous and seditious libel, entitled, *The North Britain*, No. 45. The word *treasonable* was dropt, yet I was detained a close prisoner, and no person

person was suffered to come near me for almost three days, although my council and several of my friends demanded admittance, in order to concert the means of recovering my liberty. My house was plundered, my *bureaus* broke open, by order of two of your members, Mr. Wood and Mr. Webb, and all my papers carried away. After six days imprisonment I was discharged, by the unanimous judgement of the Court of Common Pleas, *That the privilege of this House extended to my case.* Notwithstanding this solemn decision of one of the Courts of Justice, a few days after I was served with a *subpœna* upon an information exhibited against me in the King's Bench. I lost no time in consulting the best books, as well as the greatest living authorities; and from the truest judgement I could form, I thought that the serving me with a *subpœna* was another violation of the privilege of Parliament, which I will neither desert nor betray, and therefore I have not yet entered an appearance.

I now stand in the judgement of the House, submitting, with the utmost deference, the whole case to their justice and wisdom; and beg leave to add, that if, after this important business has in its full extent been maturely weighed, you shall be of opinion that I am entitled to privilege, I shall then be not only ready, but eagerly desirous to wave that privilege, and to put myself upon a jury of my countryman.

Mr. Wilkes, Nov. 15, 1763.

I have endeavoured to form my judgement with regard to the motion for expelling an honourable member (Mr. Wilkes), which was not unexpected, upon the fullest and most impartial consideration; and having done so, I do not think myself obliged to make the least apology whatsoever, for the opinion which I shall deliver upon this subject.

I should, indeed, have wished that I could with propriety have declined delivering my sentiments concerning it, because I am thoroughly sensible, that whatever my opinion shall be, it will be liable to great misconstructions and misrepresentations,

both within these walls and without doors. If I give my vote for the motion as it was made to you, it will be said that I do it from a cruel, unrelenting disposition, to gratify a private and personal resentment for the abuse Mr. Wilkes has so *liberally* thrown upon me, and for that purpose, under the mask of zeal for the cause of God and the King, to persevere in loading an unhappy man, who, it has been said in this House, has been already too much oppressed by my means, or at least with my concurrence; or it would, perhaps, be attributed, especially after the temperate conduct which I have endeavoured to hold during this session, to an abject flattery to power, with the mean paltry view of obtaining Court favour. On the other hand, if I give my vote against the expulsion of Mr. Wilkes, I shall be charged with levity and inconsistency, with changing my opinions as it may best suit my situation, either in or out of office, with adopting new principles from new habitudes and connections, and with a factious design of courting popularity and distressing all legal government, by supporting and protecting a man, whose behaviour I had so repeatedly and so heavily censured. If I know my own failings, revenge and cruelty are among the vices to which I am least inclined; and if I may trust to the reproaches thrown out against me by my enemies, I have been often accused of obstinacy and inflexibility of temper, but seldom or never, I think, with being too much disposed to alter my opinion according to the will of others, or to sail along the tide of popular prejudice. I should flatter myself therefore, that the charge of sacrificing principles to Court favour or popular applause could not with justice be applied to me; notwithstanding which I will again fully own, that I should have wished, for many reasons, not to have been under the necessity of deciding upon this question, either one way or the other; but as it has been proposed to you, I think it would be a base and unworthy conduct meanly to hide my head, or to run away from the difficulty. On the contrary, it is the duty of every honest man, if he is convinced that the

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judgement which he has formed is a regular one, to declare it publicly in his place, to abide by it, and boldly to face any difficulties which may encounter it. I am under no restraint either from this or that side of the House; I know and feel my own independence on both; and while I continue here, I will exert it; and upon this occasion execute an office greater than any which the wildest applause of the multitude can give, or than the King himself can bestow, greater than the office of first Commissioner of the Treasury, or either of the Secretaries of State. The honourable and noble office of speaking the truth, and of doing impartial justice, I will not palliate this man's offences, or try to move your compassion; for that would be to appeal to your weakness against your judgement, much less will I inveigh against him in bitter terms, and strive to excite your indignation; for instead of your weakness, I should then apply to your wicked passions. With these sentiments I shall proceed to the immediate examination of the question before you. And in the first place, I cannot agree with those who have urged in behalf of Mr. Wilkes, that this motion ought not to be complied with, because he is already the most unhappy, as well as the most oppressed and injured man that this age has seen; he is indeed unhappy, because he is guilty, and guilt must ever produce unhappiness; but in other respects, considering his repeated offences, he has certainly been more fortunate than his most sanguine wishes could have expected. I mean not to enter into a detail of all that has happened to him, it would carry me too far; but to justify what I have said, let me ask a few questions. When he wrote that seditious libel against the King and both Houses of Parliament, could he foresee that he should be taken up by a general warrant, against the declared opinion and desire of the two Secretaries of State, who repeatedly proposed to have his name inserted in the warrant of apprehension, but were over-ruled by the lawyers and clerks of the office, who insisted they could not depart from the long-established precedents and course of

proceedings? Could Mr. Wilkes foresee, that after an hundred years practice, under the eye of the greatest lawyers, before the Supreme Courts of Justice, without being ever questioned in one single instance, that this irregularity and illegality would be first found out in this case, and afterwards adopted by the voice and clamour of the people upon the occasion of his apprehension? Had he been tried and convicted without this irregularity, what would have been his situation, and where his popularity and the liberal support which he has met with? What would have become of the large damages which he has already obtained by this means, or the immense sums which he now sues for, and on which he plans his last dependance? Are these the proofs that he has been the most unfortunate, or is it more true that he has been the most oppressed and injured man this age has seen? Dr. Shebbeare was taken up by a general warrant from the Secretary of State, dated 12th of January, 1758, conceived word for word in the same terms for writing the sixth letter to the People of England on the progress of national ruin, in which is shewn, that the present grandeur of France and calamities of this nation are owing to the influence of Hanover on the Councils of England. Under this general warrant all his papers were seized as in the case of Mr. Wilkes, and he was prosecuted for this offence by Mr. Pratt, then Attorney General, now Lord Chancellor of Great Britain. He was tried and convicted of it on the 17th of May, and on the 28th of November following he was sentenced to be fined, to stand in the pillory, to be imprisoned for three years, and then to give security for his good behaviour for seven years. The prosecution against Mr. Wilkes was directed by the unanimous address of both Houses of Parliament. He was tried and convicted by a favourable Jury, for a libel certainly not less seditious or criminal than Dr. Shebbeare's. He was sentenced to be fined five hundred pounds, and to be imprisoned for one year instead of three years, to give security for his good behaviour for seven years, and the ignominious

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part of the punishment was wholly remitted. He was tried and convicted likewise for being the author and publisher of the three obscene and impious libels, upon a prosecution directed in consequence of an address from the House of Lords, for which he received exactly the same sentence as for the former offence, including the two months imprisonment, which he had suffered before judgement was given. Was he for either of those offences, or indeed for all of them taken together, so severely dealt with as Dr. Shebbeare for one alone? I do not go any farther back, though a multitude of similar instances, and some were more severe than that of Dr. Shebbeare, might be produced within these last forty or fifty years. What I have already mentioned seems to me fully sufficient to shew, that Mr. Wilkes is not intitled to any extraordinary favour on the present occasion, from the plea of his having been the object of extraordinary severity during the course of the former proceedings. But though not to favour, yet he is most certainly entitled to that justice which is due to every man, and which we ought to be more particularly careful to preserve, in an instance where passion and prejudice may both concur in the violation of it. There are principles which no one will dispute with me, and in consequence of them, after having thoroughly considered the charge contained in your question, and the arguments urged in support of it, I am clearly of opinion that I ought not to give my assent to the proposition which has been made to you; because if I did, I should thereby commit a capital injustice. I am sensible that the expression is a strong one, and that it is incumbent upon me to shew my reasons for applying it to the motion now under your consideration, which I shall endeavour to do as fully and as satisfactorily as I am able.

I perfectly agree with the gentleman who has told you, that this House has a right to inquire into the conduct of its members, and that they have exercised that right in a great variety of instances, in which they have tried, censured, and expelled

them, according to the established course of our proceedings and the law of Parliament, which is part of the law of the kingdom. Let us examine the proposition now before you by this rule, and we shall then be able to judge, whether it is conformable to the usage and law of Parliament, to the practice of any other court of justice in the kingdom, or to the unalterable principles of natural equity; or whether it is a new and dangerous mode of proceeding, unsupported by any precedent or example in the journals of Parliament, or the records of any other court, calculated merely to serve a present purpose, and as such, well deserving the term which I gave to it of a capital injustice. The charge contained in this motion contended is sufficient singly to justify the conclusion drawn from them all put together, that Mr. Wilkes ought to be expelled. Upon this complicated charge, the House is now called upon to give a judgement for or against the question. It is a well-known and undeniable rule in this House, founded in common sense, that, whenever a question, even of the most trivial nature, is complicated, and contains different branches, every individual member has an indubitable right to have the question separated, that he may not be obliged to approve or disapprove in the lump, but that every part of the proposition should stand or fall abstractedly upon its own merits. I need not shew the propriety and the absolute necessity for this; it is so self evident, that every argument I could urge in support of it would only weaken it. And surely it holds good in all cases where we act only in a deliberative capacity, it will not be contended that it is less true, or less necessary, when we are to censure and to punish, and to affect not only the rights of our own member, but the franchises of those who sent him hither as their representative; I may safely challenge the gentlemen, the most knowing in the journals of this House, to produce a single precedent of a similar nature. And if none shall be produced, as I am convinced there cannot, am I not founded in saying that
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this is a new attempt, unsupported by law and usage of Parliament?

Mr. Grenville, Feb. 3, 1769.

In moving the commitment of a printer, the House is attempting to usurp an authority, which, in my opinion, they have no right to do. According to my ideas of the law, this proceeding of theirs is directly opposite to Magna Charta. The first of this House assuming this authority was in the reign of that despot, Queen Elizabeth, who had a complaisant Parliament that would punish any person she took a dislike to. The next attempt was made in the reign of King Charles, and I imagine the House would be sorry to hear precedents quoted from his reign. The most sanguine for the power of the House will not allow it can go farther than imprisoning the offender for the remainder of the session. Printers will not mind imprisonment for three or four months, as it will possibly be the making of them, for the public will support them, not as libellers, but men who have been falsely imprisoned. The House has no right to form themselves into a Court of Criminal Judicature; there is scarcely a person among them but is prejudiced in favour of what they are contending for (the privilege of the House), and therefore are not fit persons to be Judge and Jury in their own cause. If this cause was to come into the Court of King's Bench, and any of the members were to be on the Jury, the printer would have a just right to strike them off as prejudiced persons: by punishing the printer they will increase the number of libels; for during the eight months the Parliament does not sit, and as it appears the Courts of Law have no right to interfere, the press would teem with the most scurrilous abuse, knowing they cannot be hurt; they would then have some reason to restrain the liberty of it, which, I imagine, is what is aimed at.

Mr. Sawbridge, March 4, 1772.

It is a fundamental maxim, that when any law is proposed, which indicates more good than evil to a State, such law ought to be received. The unconstitutional effects, the oppression, and inefficacy of the present mode of levying men for the navy by an impress, are but too sensibly felt by the whole nation. A valuable sea officer (Governor Johnstone), who is a distinguished ornament to this Legislature, and whose private and public character do real honour to human nature, having formerly treated of the practice of impressing, says, "It disgraces Government, shocks the spirit of our Constitution, and violates the laws of humanity; therefore every plan to obviate the evil has a claim to a political hearing and candid discussion." That worthy member's remarks must, I am sure, strike every body, who duly considers them as just and forcible. Is it not an abominable sight, in a free country like ours, to have a number of sailors, with fire arms and cutlasses, frequently in the dead of night, sometimes intoxicated with liquor, making their way into the habitation of peaceable people, dragging a sober, unoffending subject from his home, and settled means of livelihood, to convey him on board an impress tender, from thence to a guard ship, imprisoned amidst the moral and physical contagion of a miscellaneous, kidnapped crew, to be driven across the seas, no mortal can tell him where, nor for how long a time; and what is still worse, seized by surprise, not suffered to bid a kind farewell to his wife and family, nor have thought of their future subsistence, when deprived of his care; to adopt a new way of life, perhaps that to which his limbs and faculties are the worst calculated and fashioned by his Creator? And, Sir, is it not a serious matter of reproach to this wise, this liberal nation, never yet to have provided a remedy for such dreadful and extensive sufferings? What tumults, fears, and confusion, arise in every city, town, and country, within ten or twelve miles of a press-gang? And what numberless inconveniencies to all conditions of persons throughout Great Britain! In 1770 the Lord Mayor of London represented

to the Board of Admiralty, that the city of London was so infested with press-gangs, that tradesmen and servants were prevented from following their lawful business. A gentleman in Yorkshire, of worth and veracity, (who was formerly a member of this House), sends me word, that such is at this time the general apprehension in that part of England from a press-gang at Tadcaster, that the labourers on his estate are dispersed abroad like a covey of partridges; neither could half of them be brought back to their work, till the steward had given them assurance of his master's protection; still it seems they are afraid to return to their own homes at night, and therefore constantly beg leave to sleep upon straw in the stables and out-houses of the landlord. In the West of England the public are now so prejudiced by press-gangs, that I have read a letter from Exeter, dated February 29, which observes, that there had been no fish in their town for upwards of a fortnight—a circumstance scarcely known within the memory of man; and another correspondent of mine paints the miseries of the neighbouring coasts in as strong colours as if there were famine, pestilence, or some other awful and almost preternatural visitation of Providence: markets deserted, the price of the most urgent necessities of life thereby greatly enhanced, and numbers of families among the inferior classes of mankind from the insecurity of the masters of those families, by whose toil and industry they had long been maintained in comfort, reduced at once to the verge of poverty and wretchedness! How shamefully has this unconstitutional license of the impress been abused in the town of Lancaster, where men, the most unfit in every respect for the sea service, were kidnapped, collared with iron, and manacled with cords or fetters, sent up to London in the basket of a stage coach, as I understand, under command of a serjeant of militia, in violation of the most sacred laws of your Constitution; with an heavy local expence, and to no better end than to have them at length put up at large, as totally incapable of the errand they set out upon! The animosities
within

within this very metropolis of your empire, on the subject of impressing men for the navy, and the lawsuits depending thereon in the Courts of Westminster Hall, must occasion, as well to Government as to People in general, much embarrassment and apprehension. In several of the ports along the North-east coast of England, you have actually subsisting a dangerous connection among large bodies of sea-faring people, occasioned by many lawless proceedings of the press-gangs; and every day's post brings some new detail of innocent lives lost, or limbs broken in that quarter. Sir, there have been lately no less than one hundred and twenty men pressed, without distinction, in or about Bethnal Green and Spitalfields; of which between seventy and eighty, after suffering every hardship, and leaving their families distressed at home, obtained a discharge, as of no use to the service. Having already cursorily touched on some of the calamities and unconstitutional outrages affecting these manufacturers, mechanics, and husbandmen, who never exercised, nor had in contemplation, the trade of a seaman, I must take a short view of your cruelty towards mariners by profession. They are not only liable to the same inhuman violence and surprise with landsmen, but when seized on board trading vessels for the purpose of serving His Majesty, are often imposed upon by fraudulent bills, on account of wages due to them for past hire in the trader's employ. The lives of many brave officers and their followers have been sacrificed, or they have come off cruelly maimed by this invidious part of their duty. A multitude of seamen have been drowned by attempting to swim ashore from their ships, or have been shot by the centinels while they endeavoured to escape under cover of midnight darkness; being driven to phrenzy and despair, for want even of a shadow of hope, that they might one day or other be entitled to a legal discharge.

Honourable Temple Luttrell, March 11, 1777.

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I am really astonished that the learned gentleman (Mr. Wedderburne) is not ashamed to avow the reason he has assigned, for the concealment he has used, and reducing the House to act as so many midnight conspirators, who, under the colour of devising measures for public preservation and national safety, has every appearance of plotting, in the dark at midnight, its destruction, coming like so many hired ruffians, with weapons concealed under their cloaks, to bury their poniards in its very bowels.

Such an act as that for impressing men into His Majesty's service might be very necessary, but I have many reasons to believe not to the extent moved for; but why bring it forward at this *dark* and *silent* hour? When the clock has struck twelve, and most of the members retired home to their beds? Why, in God's name, not propose it early in the day, in a full House?

The reason assigned for this assassinate mode of conducting public business is, to the last degree, unfounded and dissatisfactory, "lest the public should be apprized of it." Has not the learned gentleman already told us, that the bill is to act retrospectively? That it is to commence on that melancholy, I fear, fatal day, on which the Spanish Minister delivered the Manifesto now on your table? Has he not farther informed us, that the Ministry have not been unmindful of their duty, for that they have exceeded all their former attacks on the constitution of their country? They have trampled on the laws, and have found an advocate to defend their conduct, in the person of the learned gentleman who has moved this extraordinary bill, in this very extraordinary manner. Is then the learned gentleman's love of his country not satisfied with the injuries inflicted on the most deserving part of the community, by robbing them of that protection which the laws have given to them, and by breaking the national faith, which is the great pledge and security to every Englishman for their due performance? Would the learned gentleman not let one farther,

ther, one husband, one brother, or one child escape, in this general scene of oppression and injustice! Methinks I hear the heart-felt shrieks of the miserable wife this instant piercing my ears, and entreating, in accents of rage and despair, the midnight ruffian not to drag from her side her tender and affectionate husband, the father of her children, and her only support! I think I hear the aged and helpless parent in accents of sinking woe, misery, and distress, bewailing the loss of his dutiful and beloved son! I confess I am filled with horror at the various ills and miseries this instant inflicting in every part of these kingdoms, contrary to every principle of law, justice, and humanity: but the learned gentleman has a stomach for all this, and much more; for he says, he has stood up at this midnight hour to propose a law, which, if proposed in open day, in a full house, might, perhaps, have this one consequence, that of procuring, for the persons to be affected by it, that personal security, by flight and concealment, which the laws of their country, and the assurance of public faith always supposed to accompany them, have been inadequate to.

Sir George Saville, June 23, 1779.

Great abilities and greater industry have been exerted in the vain endeavour of maintaining, that associations, committees of correspondence, delegations, and petitions to this House signed with more than twenty names, are contrary to law and the constitution. I am sorry to see talents and industry employed so idly; but, indeed, it requires both to give any thing like a colour to such a doctrine. After what has been so ably advanced by gentlemen on the same side of the House with myself, it will not be necessary to enter into a tedious repetition of the question of law. It is a clear fundamental point in the constitution of this country, that the People have a right to petition their representatives in Parliament, and it is by no means true, that the number of names signed to any such petition is limited. The act which passed in the reign of Charles

the Second, prohibiting, under the penalties therein mentioned, any petition to be presented to the King, or to either House of Parliament, if signed by more than twenty persons, for altering the religion or the laws, was completely repealed by that article in the Bill of Rights, which declares, "If this article meant any thing, it meant to restore to the People that great privilege which the act of Charles was calculated to abridge, if not to take away." The House, in deliberating on this point, ought to refer to the cause of that declaratory article. The abridgement of the privilege of the subject, by the act of Charles, gave rise to the demand on behalf of the People, and the declaration on that of the Crown; in consequence of which the privilege was restored, and the right established again in all its force. To argue that the act of Charles is now in force, would be as puerile and absurd as to contend that the prerogative of the Crown still remains in its full extent, notwithstanding the declarations in the Bill of Rights. The same argument goes in favour of the prerogative that was alledged in favour of the act of Charles. If then it is true that the People of this country have a right to petition the Legislature, they have a right to assemble together for that purpose, and while their meeting is sober, peaceable, and orderly, it is strictly legal. But it is said, that associations are unconstitutional, and committees of correspondence and delegations; arguments are drawn from the Scottish history to prove that they are dangerous, and from the history of France to prove that they are unconstitutional. The honourable and learned gentleman (Mr. Wedderburne) who has taken this method of supporting the proposition, has betrayed its poverty; he must, indeed, be pressed for arguments, when he has recourse to the examples of countries, which are either involved in despotism, or torn by disorder, for the proof that is required. In this kingdom it is the pride and happiness of the People that the laws consider the intention, and the guilt or the innocence of an action depend on the *que anime* with which it is committed. Associations,

ations, committees of correspondence, and delegations, are not criminal, merely because they were such; but their illegality is deduced from the intention with which they were formed, and the design which they have to pursue. There are many associations in this country patronised even by the Crown, and recognised by the Legislature. Associations for the purposes of commerce, of benevolence, or of science; there is nothing terrible in the name, nor would they either be a bit better, or a bit worse, if they were to assume any other name, and call themselves companies, congregations, bodies, assemblies, or even congresses; every thing depends on the nature of the institution. If an association is formed for the purpose of curtail- ing the Legislature, of destroying one of the three constituent branches, of dethroning the King, of resisting the execution of the laws, of altering the established religion of the country, or, in short, of committing any violence contrary to the Constitution, and subversive of order, government, and domestic peace, it is certainly illegal and highly criminal; it is an association which ought to be resisted by the civil authority, and suppressed by the intervention of the laws; against such an association the laws had sufficiently armed the executive power, and Ministers would be traitors if they suffered, either by wilful treachery or blind negligence, such an association so far to grow and strengthen itself, as to be able to surround the Parliament, and with arms and military array, over-awe their proceedings, and force them to what they pleased; but an association even of this nature would be legal in certain circumstances; if even a period should arrive, when the three branches of the Legislature, the King, Lords, and Commons, should by an unconstitutional coalition meet in one mass, and fail to have distinct opinions and distinct independence; if the Commons, forgetting their origin and their duty, should become the slaves of either, or of both the other powers, then it would be no longer illegal for the commonalty of Britain to resume their just share in the Legislature, and
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the means by which they accomplished this, whether it was by associations, by remonstrances, or by force, would be not only right, but laudable; it would be an honourable imitation of the conduct of their ancestors, by which their constitution has been wrested from the rapacity and from the violence of prerogative; *in short, associations are always to be justified or condemned by their intention.*

Mr. Dunning, May 8, 1781.

Nothing is more delusive than measuring time by a succession of ideas; the miserable and the happy have very different ideas of time; what are but minutes to the latter, are hours, days, and months, to the former: so the poor captive thinks his confinement much longer than he does who puts him in prison. With respect to the predilection and affection the Spaniards are said to possess for our sailors, now their prisoners, it is but a poor comfort to a British seaman lying in a Spanish jail, to be told, that his enemy has a predilection for him, while he feels the neglect and contempt of his country, who makes not the least effort to restore him to his liberty. It is not the humanity of an enemy that a British sailor ought to rely on; it is the benignity of Great Britain that he should look up to.

By the disgraceful practice of war, the unhappy seamen were by the impress dragged on shipboard, contrary to all their prayers and remonstrances; yet they generously forgive the injury, and fight the battles of their country. In return for this, when they fall into foreign captivity, they are neglected and forgotten; are left to perish in a sultry climate; it is even deemed factious to inquire after them; in a word, they find in the Admiralty only an iron hand to oppress, but no compassion, no spirit, to protect them.

Augustus, the Roman Emperor, was so affected with the loss of his legions, that he even invoked the manes of their dead General to restore them back to him: *Varre, redde nobis nautas!*

S—h!

S——h! Give us back our seamen, our ships, our troops, our wealth, lost by thy cursed treasons!

O, thou Earl of Sandwich, who was born to be the curse of thy country, who livest only to accumulate dishonour on her head, to destroy her boasted navy! Restore, restore to us those brave men who are thrown into chains by thy negligence, and who remain in them by thy scandalous inhumanity!

Mr. Burke, June 1, 1781.

P E A C E.

I SHALL grant, Sir, that generally speaking, peace is better than war; but it is not always so: a dishonourable peace is worse than a destructive war; it is better for a nation, as well as a private man, to cease to be, than to subsist in the wretched state of suffering continual insults and indignities; and if, under the present Administration, we have lost a great part of the character we gained in former times; if our neighbours have begun to think that we will bear with any infraction of treaties rather than engage in a war, which I hope is not the case, we may cajole and flatter ourselves with obtaining redress by peaceful negotiations and treaties; but while our neighbours entertain such a notion of us, I am fully convinced it will be impossible. If our enemies are not yet fully prepared to ruin us, if they think they may soon have a better opportunity than the present for giving us some finishing blow, they may for some time amuse us with negotiations or congresses, they may even vouchsafe to grant us a convention or a treaty; but these will appear at last to be nothing but expedients,

expedients, artfully contrived by them, and foolishly or treacherously submitted to by us, for making our ruin the more complete and the more inevitable. During these very negotiations, and notwithstanding the treaties they may vouchsafe to grant us, being convinced they may do it with ingenuity, they will continue to put the same indignities upon us, till we are reduced so low by our sufferings, that like a man who has too long neglected a wasting distemper, we shall not have sufficient strength left for making use of that remedy, which, if it had been applied in time, would have produced a certain cure.

Sir John Barnard, Jan. 28, 1738.

We have heard a great deal with regard to the prudential consideration of our agreeing to the present motion; but give me leave to observe, Sir, that the character of a nation is very different from that of a private man; a private man that has once established a reputation for wisdom and courage, may easily, and generally does, preserve that reputation as long as he lives; but whatever reputation a state or kingdom may acquire at any one time, is so far from continuing as long as that state or kingdom subsists, that on the contrary, the reputation acquired under one King, or one Administration, always expires as soon as that King or Administration expires; and the successors must always begin afresh to acquire and establish a character for the nation under their Administration. A nation may acquire the highest character, the greatest esteem, under one reign or Administration, and yet sink into the lowest contempt under the very next. This was the case of this nation in the reigns of Edward I. and Edward II. in the reigns of Edward III. and Richard II. in the reigns of Henry V. and Henry VI. and in the reigns of our wise Queen Elizabeth and her successor James I.

Sir John Barnard, Feb. 16, 1738.

We have now, Sir, entered into a debate about a measure, the event of which must, in some degree, influence posterity in the judgement that they shall form of the wisdom of the British Government during His present Majesty's reign. The wrongs we have received from Spain have been great, and the present age expects, that the satisfaction we are to receive, or the revenge we are to take for these wrongs, will be great also. Future ages, Sir, in case the present is disappointed in this expectation, will look upon us as a dispirited, mean, and corrupted people; in short, they will look upon us in the same light in which some gentlemen take the liberty to represent the Ministry. But, Sir, if on this occasion His Majesty's Ministers have obtained more than ever on like occasions was known to be obtained; and they reconciled the peace of their country to her true interest; if this peace, Sir, is attended with all the advantage that the most successful arms could have procured, as I hope to make appear, I will be bold to say, that future ages, always impartial in their censure or praise, will consider this as the most glorious period of our history, and to do that justice to the counsels which have produced this happy event, which every gentleman who divests himself of passion and prejudice is ready to do, and which I have great reason to believe the present age, when rightly informed, will not refuse.

This House, and Parliament, Sir, is His Majesty's greatest, safest, and best council. A seat in this House is equal to any dignity derived from posts or titles, and the approbation of this House is preferable to all that power, or even Majesty itself, can bestow: therefore, when I speak here as a Minister, I speak as possessing my powers from His Majesty, but as being answerable to this House for the exercise of those powers. I have often, Sir, on other occasions, professed my readiness to submit to the justice of my country, and shall cheerfully acquiesce in the judgement this
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House shall form of our negotiations ; because, while I do that, I am sure to suffer no wrong. But, as the best, and most equitable intentions may be perverted by misrepresentations of facts, and as the most impartial mind is susceptible of prejudice when artfully instilled, I hope it will be looked upon as a proper piece of justice done to myself, if I shall endeavour, by stating one or two facts, to set this affair in a light that may remove all objections.

The chief consideration, Sir, that arises from the present question is, whether, as Great Britain is now circumstanced, it had been more proper for the Government to have entered into a bloody and uncertain war, or to lay such a foundation for a peace, as no gentleman can regularly pronounce is not a safe and honourable foundation. In order to consider this question rightly, we must take a view of the advantages we could propose to ourselves, in case of a war with Spain, and in case that war was even to be successful.

I know that gentlemen, who are otherwise very candid upon this point, are apt to imagine, from the military glory of this nation, that our arms are invincible: and I own, Sir, that this is a most prevailing argument, especially in a popular assembly. There is somewhat in it, that flatters the ambition which people generally entertain of acquiring fame and riches by the means that raised their ancestors. In the history of our wars with Spain, we see great navies defeated, great treasures, and still greater gains, acquired by our soldiers and sailors. But, in the mean-while, we never reflect that the situation of affairs betwixt Britain and Spain is entirely different from what it was then, Spain, at that time, was the dread, was the envy of Europe ; as she had then powerful armaments, which excited the courage of the brave, and immense treasures, all her own, that prompted the service of the rich. She had not one ally in the world, who bore her with good will enough

to assist her with any zeal; and her views were so dangerous, that her enemies borrowed courage from despair.

At present, Sir, if I may advance a paradox, her greatest security lies in her visible weakness. The preservation of the Spanish monarchy, entire and undismembered, has, for almost an age past, seemed to be the general inclination of all the powers in Europe, because, were the riches that flow into Spain, to fall into the hands of any other people, the rest of Europe must soon be drained of all its treasure. Whereas, at present, there is scarcely any nation in Europe, who has not a larger property in her plate-ships and galleons than she herself has. It is true, all that treasure is brought home in Spanish names, and the King of Spain generally imposes a large indult upon it; but Spain itself is no more than the canal through which these treasures are conveyed all over the rest of Europe. Should we therefore pretend to seize those treasures, we could not fail to meet with a powerful opposition. Even our best allies, Sir, I am afraid, would look with an indifferent eye upon such a step, and be the first that would enter their complaints against it.

Sir Robert Walpole, Feb. 1, 1739.

My Lords, as I neither speak from pamphlets nor papers, I cannot precisely tell your Lordships how long I shall trouble you on this occasion; it is an affair of as great importance, I will venture to say, as ever came before this House. I have, my Lords, employed a great deal of my time in endeavouring to form a right judgement of it. I have examined it without prejudice, I have endeavoured to find something in it that might be justified, I have viewed it, my Lords, in all the best lights it was capable of; but still, my Lords, the more I consider, the more I view it, the more disgraceful, the more deformed, does this convention appear.

I have known, my Lords, I have read of measures of this kind, that were indeed generally disliked by the people, and

and were disadvantageous to the nation; but still, my Lords, the Ministers who carried on and concluded such measures, had something to say in their justification. The weakness of the nation, the conveniency of trade, the strength of our neighbours, or some consideration of that kind, was always pleaded as an excuse. And sometimes, though a treaty was, in the main, disagreeable or dishonourable to the nation, yet there were certain particular clauses, some advantages stipulated, which, if they did not balance, served at least to excuse the rest. But, my Lords, this convention is not only disagreeable to every body without doors, but it does not contain one article that can be wrested to have so much as a favourable aspect for this nation. To what, my Lords, can this be owing? Is it owing to the weakness of the nation? Not at all; this nation is not weak, she has strength sufficient to crush that power that crushes her. If she is poor, my Lords, the Government feels none of it; for our Ministers are as largely supplied with treasure as these Ministers were under whom this nation made the power that now insults us, to humble. Our troops, my Lords, are more numerous, better clothed than those troops were, who once conquered this insolent neighbour, and filled her throne with a monarch of our own making. I see many Lords here, who, I am sure, remember those glorious times; and if, my Lords, at that time any one had ventured to foretel that this nation would soon be reduced to the necessity of negotiating, for the space of eighteen or twenty years, to obtain such a treaty as this is, was there a man in the whole nation that would have believed him!

Have our Ministers, my Lords, ought to plead in favour of this measure, because it is for the convenience of trade? My Lord, every body, who understand what trade is, knows, that if this convention is approved of by Parliament, our trade must be irretrievably ruined.

Can it be pleaded, my Lords, that our enemies are so strong that we ought, in policy, to yield a little to their rumours? No, our enemies are weak, they are strong only in our fears. We, my Lords, are masters of that element whereon the cause must be decided, and let all our enemies, either professed or secret; nay, let all the neutral powers in Europe unite their naval force, we have a fleet now at sea that is able to beat them all. But, my Lords, do we behave as if we had any such superiority? Have we so much as asserted the honour of the British flag? Have we not tamely given it up, given it up without the least reason, so far as appears to the world? What the reasons of our Ministers may be, my Lords, for this pusillanimity, I am entirely ignorant; and as I am ignorant, I am innocent; for, my Lords, though I am a privy counsellor, I am as unacquainted with the secrets of the Government as any private gentleman who hears me.

Duke of Argyle, Feb. 23, 1739.

Having before expressed my entire satisfaction with the terms of the peace, and already given to the House my ideas upon that subject, it were unnecessary for me again to trouble your Lordships upon the same occasion, and the more especially so, as I have been made to find, that that which, in preliminary articles, was matter of condemnation and censure to some of your Lordships, now meets, in definitive treaties, by the veil of a profligate and abandoned faction being thrown aside, the unanimous suffrage and consent of all. Nor, my Lords, should I have risen on this day, had it not been for a speech which, not being present at the time it was spoken, I have seen and read in the public papers; a speech, my Lords, which whilst it would approve the peace, would attempt to villify and calumniate the author of it; but which, in my opinion, proving, by its own invective, and the mode of reasoning adopted there-
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in, the best eulogies, and the highest panegyric upon both the author and the peace ; it is to convince your Lordships of this, that I rise to trespass for a few words on the time and patience of the House.

It is said, my Lords, in the speech I allude to, that preliminary articles of peace were disgraceful, pusillanimous, and dishonourable ; and yet, my Lords, these very preliminary articles of peace, disgraceful, pusillanimous, and dishonourable, as they are represented to be, are nevertheless made only because ‘ through the spirit and good conduct of the present Ministry, they are not quite so disgraceful in the ratification as they are in the preliminary articles,’ no less the subject of adulation to Ministers than they are, because ‘ peace, long wished-for peace, is at last established,’ of declamatory joy and congratulation to the public.

But, my Lords, this being said of the consistency of this exordium in overture of Ministers, let us a little see how the assertion, that ‘ the preliminary articles of peace were disgraceful, pusillanimous, and dishonourable,’ stand in point of reasoning, argument, and fact.

It is said, in a kind of logical process, though unaccompanied by any other symptom of logic, that ‘ the preliminary articles were disgraceful,’ and that they were disgraceful, ‘ because they took away from the dignity of this kingdom.’ That they were dishonourable, ‘ because better terms might have been obtained.’ That they were pusillanimous, ‘ because we made concessions, when we should have had humiliations.’ Assertions, my Lords, without proofs, reasoning without reasons, and arguments without a single fact to support them : for what is this but to say, ‘ that the preliminary articles were disgraceful,’ because they were disgraceful ; that ‘ they were dishonourable,’ because they were dishonourable ; and that ‘ they were pusillanimous,’ because they were pusillanimous ; and yet, my Lords, such is the

support of Ministry, and such the way that calumny would asperse, and slander use its tongue.

“ But now, my Lords, to admit the truth of all, to admit that the articles were as they are stated to be, and that their ratification were an act not of choice but of necessity in the present Ministers : why not say so then ? And why make that which is disgraceful, that which is dishonourable, and that which is pusillanimous, the subject matter not only of unanimous parliamentary approbation, as it has been made, but of merit, boasted merit to Ministers, as well as of general acclamation and joy to the nation ? For peace, long wished-for peace, says the speech, is at last established ! Can there be then, my Lords, as I have said, a higher proof of panegyric and eulogy more strongly expressed than this affords ? And what is this, but as in the fable, to steal the lion’s skin, in order that the ass might wear it ?

But it is said, my Lords, ‘ that this country stood indebted to the present Administration for amending the ratified articles, those shameful and disgraceful terms that were in the preliminaries.’ What shameful and disgraceful terms, my Lords ? Does the speech know, and could it explain itself even at this hour ? Or is this one of those hardy and bold assertions, which much credulity and little knowledge are apt so readily to conceive and utter ? But, my Lords, here again too I will admit the fact ; I will admit that they were shameful and disgraceful terms in the preliminaries ; and admitting this, let me ask your Lordships, is it not fair, is it not liberal, is it not honest to suppose, that if the late Administration had had the conclusion of the peace in their hands, that they might not have rectified, by the definitive treaties, these errors in the preliminaries, as well as the present Administration have done ? Nay, my Lords, it is not to be supposed that the late Administration, knowing better surely than any other could do, both the feeble and the force of their own negotiations, that the other defects

too might not have been remedied, which have escaped the all-penetrating eye even of the present Administration? And if so, my Lords, where is the merit of the present Ministry, and in what does the country stand indebted to them? On the contrary, is it not shameful and disgraceful in them to take merit to themselves upon such an occasion; and, instead of praises, do they not rather deserve the curses of the nation, if it were but for this very act alone, inasmuch as amended as the peace is by the present Administration, it might not only have been equally amended by the late Ministry, but from their more intimate knowledge of the subject, might have been infinitely better than it now is? And therefore, my Lords, I do in my turn assert, and dogmatically assert too, that the taking of the peace out of the late Administration under the circumstances in which it was done, was an act of treason to the state, of a kind as nefarious and flagitious as any that ever had trial at your Lordships' bar.

And now, my Lords, I had done, if it were not for one thing more, and that is the beautiful little image that has been made the ornament of this speech, so beautiful, that I cannot help taking notice of the bantling, and for a while dandling it in my arms; for, my Lords, it is said, 'the peace appeared in the shape of a rickety bantling, dropped at the door of the present Ministers by its too hasty parents, and there begging their support and protection. They took it up, examined its defects, and as they found a kind of national promise made in its favour, they nursed it, and by the dint of political art, kept it alive, until they could obtain a ratification for its existence, on the best terms that could be obtained for the benefit of its country.'

Such is the image, my Lords; and however rhetorical the allegory, however beautiful the figure, what is the fact and the truth? Was this bantling dropt at the door of Ministers, and did it there beg its support and protection of them? No, my Lords; and is not the very reverse of this
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the fact and the truth. Were not Ministers rather dropt at the door of this bantling, and, under that shelter, made to seek their own support and protection? Or, rather, my Lords, may it not be said with greater truth than in either case, that the taking of this bantling into the hands of the present Ministers, was a political ravishment of a ward out of the hands of its proper guardians; accomplished on the one hand by fraud, and on the other by force? By fraud, in making Viscounts of this House to believe that they were to be raised to Earldoms; and Members of the House of Commons, that they were to be created Peers of the realm. Thanks to the firmness and wisdom of His Majesty, both have been equally disappointed! By force, my Lords, in having, under the cloak of this bantling, seized upon the Cabinet of the King, and taking, as we all know, with a violence unheard of before, forcible possession of the government of this country. These are the features of the ‘rickety bantling,’ as it has been called, and this the fact and truth.

“ But now let us see, my Lords, what the features are of the nurse, the fosterdam, the stepmother, or the mother-in-law, call it which you please, of this rickety bantling, and who is said, (contrary to all experience) to have taken more care of it than its own natural parents could have done; and this, my Lords, I, in my turn, will represent to your Lordships; not in allegory, however, my Lords, nor in metaphor, nor figure, nor as a child of fancy, or creature of the imagination, but in real true picture, drawn from the life, and of living existence; and here it is, my Lords, (holding up the figure of Lord North and Mr. Fox in the print of the coalition dissected) *ecce homunculus!* My Lords! *Vera copia examinata!* The nurse of that bantling, which has been described to your Lordships; and to which nurse, I must entreat your Lordships’ attention; not in laughter, my Lords, for it is no joke, but in sober serious earnestness; and to this end must humbly move the noble Lord upon the
woolpack,

woolpack, that I may have leave to lay this figure upon the table, for your Lordships' examination; from which I vow to God, my Lords, I think, more real benefit might be drawn to the country, than from all the papers (important as they are) that will be laid upon your Lordships' table during the whole session of Parliament. For what, my Lords, must be the result of such an examination? I will tell your Lordships. You will see the Government of this country in the hands of this *bifronted monster*. And in the name of possibility, what papers can turn to use that are to have the direction of such an unnatural *Lusus Naturæ* as this is? But I have now done, my Lords, with a single remark only. However disgraceful, however dishonourable, however pusillanimous the peace is, I rejoice to give it to my noble friend who made it; it is his, and let him have the honour of it. A peace negotiated without connection, and obtained without corruption; though he saw at the time the spirit of a malignant faction staring him in the face. But the purity of his intentions, the firmness of his mind, and the wisdom of his conduct, have risen superior and triumphant over all opposition. It has met with what no other peace ever did before in the annals of our history. —It has had the unanimous suffrage of Parliament, and the approbation of his King and country. In apostrophe, therefore, to my noble friend, let me say to him, in the words of Horace—*Age, et sume superbiam questitam meritis.*

Earl of Abingdon, Dec. 2, 1783.

PARLIAMENTARY REFORM.

THE call of the House being adjourned to a very remote day, upon a general opinion, which I hope is well founded, that no vote of credit will be proposed. I believe we can scarcely expect a fuller House than this day produces. There cannot, therefore, be a better opportunity for making a motion, which I apprehend to be of such a national concernment, that I have long wished it undertaken by some person better able to support it than myself: but I have this satisfaction, that what I am going to offer will so far speak for itself, as may supply any defects in my manner of laying it before you, and I cannot doubt the concurrence of this House, when it comes to be maturely considered.

I believe we are none of us unapprised of the dislike the people in general have always had to long Parliaments; a dislike justly founded on reason and experience; long Parliaments in former reigns having proved the unhappy cause of great calamities to this nation, and having been at all times declared an innovation upon our constitution. I am convinced there is no one that hears me, who does not believe the people thought themselves highly aggrieved by the septennial bill: that they even looked upon it as a dangerous infringement of their liberties, notwithstanding the cause alledged in the preamble to the acts which seemed at that time to carry some weight with it.

That clause being happily removed, they desire to revert, as near as may be, to their ancient constitution, and surely there never can be a more favourable opportunity to effectuate it than at this juncture, when his Majesty, to the great joy of the nation, has been graciously pleased to declare his satisfaction, that the people are soon to have an opportunity of chusing a new Representation. The present Parli-
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ment draws near its dissolution ; what can it do more for its own honour ? How can it crown its many meritorious acts better, than by redressing a grievance, which a succeeding Parliament may possibly have its reasons for not entering into ?

Frequent Parliaments were early declared a fundamental part of the Constitution. In the fourth of Edward the Third, an act passed for holding them once a year, or oftener, if there should be occasion. In the 36th year of the same reign, that statute was confirmed. In that Parliament, *Magna Charta* and *Charta de Foresta*, were confirmed, and several new privileges granted to the subject. Then comes the clause relating to Parliament, which sufficiently shews the intention and original institution of them was for the redress of grievances : for the bill enacts, That for the maintenance of the said articles and statutes ; that is, the privileges before mentioned, and for redress of divers grievances and mischiefs, which daily happen, a new Parliament shall be held once every year, as at another time was ordained. The 16th of Charles the Second recites, that by the ancient laws and statutes, Parliaments used to be held very often, and therefore enacts, that the sitting and holding of Parliaments shall not be intermitted, or discontinued, for more than three years.

In the early days when this prudent care was taken for frequent meeting of Parliaments, the Crown was possessed of revenues, which made application to the people for money, unless upon extraordinary emergencies, unnecessary. It therefore plainly appears, that redress of grievances, making salutary laws for the good of the community, and preserving the liberties of the people, by supporting a due balance between the power of the Crown and the rights of the subjects, were the main ends for calling Parliaments. The power of calling them being the undoubted prerogative of the Crown, it became necessary, for the safety of the subject,

to oblige the Crown to call them frequently. I must confess, a caution of this kind is no longer necessary, nor can it ever be, so long as we preserve to ourselves the power of granting money; the Crown revenues being sunk, or wantonly granted away, the annual call for a supply must necessarily produce an annual meeting of Parliament. But give me leave to observe, the grievance now complained of is of a very different nature. It is not founded on discontinuance of Parliament; but on a too long and dangerous continuance of one and the same Parliament: a practice unheard of in former times, when prerogations were not known: for when a Parliament was annually called together for the redress of grievances, as soon as the business of the session was over, it was dissolved, and a new one called the next year for the same purpose; by which means the country had a proper check upon their Representatives, and those who appeared to be too much under the influence of the Crown; those who were too much attached to the Minister, had less opportunity of injuring their country; the people had it more frequently in their power to shew a proper resentment, and remedy the evil, by sending others in their places next year.

This matter seems fully explained by 16 Car. II. which does not only prevent discontinuance of Parliaments, but wisely provides against the too long continuance of one and the same Parliament, by enacting it into a law, that a new Parliament shall be called once in three years, or oftener, if there be occasion. The Bill of Rights in the second session of William and Mary, among many other privileges which we possess, enacts, that for redress of grievances, amending, strengthening, and preserving laws, Parliaments ought to be frequently held; and the sixth of the same reign explains the true meaning of the clause, when it declares, that frequent and new Parliaments tend very much to the happy union and good agreement between the King and the people;

ple; it confirms the 16th of Car. II. that Parliaments shall be held once in three years at least, and adds, that no Parliament shall continue more than three years at farthest. Between that and the first of the late King, several Parliaments were held, and none continued longer than three years; some held for one session, which seems to be the original constitution, and best calculated for the good of the nation. That year the septennial bill passed, the repeal of which I am going to move, but believe it more agreeable to the rules of the House, that the act itself should be first read. [Here the Clerk read the act] The preamble to the bill, which is the foundation of it, will, I think, admit a very easy answer; as to the first point, that triennial Parliaments have proved more grievous, burdensome, and expensive, than they were ever known before that law was passed, I readily agree; but let us consider the cause; the lengthening the term occasioned the expence. I fear I might add, the multiplicity of places enjoyed by the Members of this House, may be too justly alledged another cause; but I would willingly confine myself to the particular point, how far the time or duration of Parliaments might increase or lessen the expence, might add to, or diminish the grievance complained of? and will consider it only in this light, by submitting it to every gentleman who hears me, whether he would not give more for an annuity of three years than for a grant determinable at the end of one? and by the same parity of reasoning, whether septennial Parliaments must not prove more grievous, burdensome, and expensive, than triennial, at least, in such a degree as an annuity for seven years deserves a better consideration than one for three?

But supposing I should be out in this point, which I can never give up without due conviction, this argument in the preamble is, I hope, entirely at an end. The act against Bribery and Corruption, which must ever redound to

to the honour of this Parliament, will necessarily remedy this evil: that glorious act will prevent corruption in the electors. Nothing but frequent new Parliaments can remedy it in the elected.

The other reason upon which that act was founded, namely, a suspicion that designs were carrying on to renew the rebellion, and an invasion from abroad, was, in my humble opinion, the only justifiable pretence for enacting it into a law, and might possibly have induced some gentlemen of very great honour and integrity to give their votes for the bill at that juncture, whose assistance, I flatter myself, I shall have now in repealing it. For those who voted for it from that view, could never intend it should be made perpetual, or that it should continue longer than that misfortune subsisted.

I must beg pardon of you, Sir, and of the House, for the trouble I have given you. The nature of the motion, I am going to make you, has unavoidably drawn me into a length as disagreeable to myself, as it must have been to those that hear me. Numberless arguments will occur to every gentleman in favour of it, I will therefore conclude with this motion, viz.

That leave be given to bring in a bill for repealing the Septennial Act, and for the more frequent meeting and calling of Parliaments.

In this, Sir, I hope I shall be justified, as it cannot proceed from any indirect or private views; but from a real conviction that the happiness and safety of this nation depends upon it, in which I am supported by the common voice of the people, and have it particularly recommended to me by a great majority of those I have the honour of representing in Parliament, as well as from my neighbours of the city of Coventry, for whose recommendation I shall al-

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ways have a due regard, though I have not the honour to represent them.

Mr. William Bromley, March 13, 1734.

The honourable gentleman who made this motion, has supported the necessity of it by so many strong and forcible arguments, that there is hardly any thing new to be offered. I am very sensible, therefore, of the disadvantages I must lie under, in attempting to seek after him, and I should content myself with barely seconding him, if the subject matter of this debate was not of so great importance, that I should be ashamed to return to my electors, without endeavouring, in the best manner I am able, to declare publicly the reasons, which induced me to give my most ready assent to this question.

It is evident from what has been said, that the people have an unquestionable right to frequent new Parliaments by ancient usage, and that this usage has been confirmed by several laws, which has been progressively made by our ancestors, as often as they found it necessary to insist on this essential privilege.

Parliaments were generally annual, but never continued longer than three years, till the remarkable reign of Henry VIII. He was a Prince of unruly appetites, and of an arbitrary will ; he was impatient of every restraint ; the laws of God and man fell equally a sacrifice as they stood in the way of his avarice, or disappointed his ambition : he therefore introduced long Parliaments, because he very well knew, that they would become the proper instruments of both ; and what a slavish obedience they paid to all his measures is sufficiently known.

If we come to the reign of Charles I. we must acknowledge him to be a Prince of a contrary temper ; he certainly had an innate love for religion and virtue, and of consequence for the liberty of his country. But here lay the mis-

fortune—he was led from his natural disposition by sycophants and flatterers ; they advised him to neglect the calling frequent Parliaments ; and therefore by not taking the constant sense of the people in what he did, he was worked up into so high a notion of prerogative, that the Commons, in order to restrain it, obtained that independent fatal power, which at last unhappily brought him to a most tragical end, and, at the same time subverted the whole Constitution ; and I hope we shall learn this lesson from it, never to compliment the Crown with any new or extravagant powers, nor to deny the People those rights which by ancient usage they are entitled to ; but to preserve that just and equal balance, from which they will derive mutual security, and which, if duly observed, will render our Constitution the envy and admiration of the world.

King Charles II. naturally took a surfeit of Parliaments in his father's time, and was therefore extremely desirous to lay them aside : but this was a scheme impracticable. However, in effect he did so ; for he obtained a Parliament, which by its long duration, like an army of veterans, became so exactly disciplined to his own measures, that they knew no other command, but from that person who gave them their pay.

This was a safe and most ingenious way of enslaving a nation. It was very well known, that arbitrary power, if it was open and avowed, would never prevail here. The people were, therefore, amused, with the specious form of their antient Constitution : It existed, indeed, in their fancy ; but like a mere phantom, had no substance, or reality in it ; for the power, the authority, the dignity of Parliament were wholly lost. This was that remarkable Parliament which so justly obtained the opprobrious name of *the Pensioners's Parliament*, and was the model from which, I believe, some latter Parliaments have been exactly copied.

At the time of the Revolution, the people made a fresh claim of their ancient privileges, and as they had so lately experienced the misfortune of long and servile Parliaments, it was then declared, that they should be held frequently. But it seems their full meaning was not understood by this declaration, and therefore, as in every new settlement the intention of all parties should be specifically manifested, the Parliament never ceased struggling with the Crown till the triennial law was obtained. The preamble of it, is extremely full and strong, and in the body of the bill you will find the word *declared* before *enacted*, by which, I apprehend, that though this law did not immediately take place at the time of the Revolution, it was certainly intended as declaratory of the first meaning ; and therefore stands as part of that original contract, under which the Constitution was then settled. His Majesty's title to the Crown is primarily derived from that contract ; and if, upon a review, there shall appear to be any deviation from it, we ought to hear them as so many injuries done to that title. And I dare say, that this House, which has gone through so long a series of services for His Majesty, will at last be willing to revert to these original stated measures of Government, to renew and strengthen that title.

But I think the manner in which the septennial law was first introduced, is a very strong reason why it should be repealed. People in their fears have very often recourse to desperate expedients, which, if not cancelled in season, will themselves prove fatal to that Constitution which they were meant to secure. Such is the nature of the septennial law ; it was intended only as a preservative against a temporary inconveniency : the inconveniency is removed, but the mischievous effects still continue ; for it not only altered the Constitution of Parliaments, but it extended that same Parliament beyond its natural duration ; and therefore carries this most unjust implication with it, that you may at any

time usurp the most indubitable, the most essential privilege of the People, I mean that of choosing their own representatives ; a precedent of such a dangerous consequence, of so fatal a tendency, that I think it would be a reproach to our Statute Book if that law was any longer to subsist, which might record it to posterity.

This is a season of virtue and public spirit ; let us take advantage of it, to repeal those laws which infringe on our liberties, and introduce such as may restore the vigour of our ancient Constitution.

Human nature is so very corrupt, that all obligations lose their force, unless they are frequently renewed. Long Parliaments become therefore independent of the People ; and when they do so, there always happens a most dangerous dependence elsewhere.

It has of late been denied that the People have a right of remonstrating to us. It has been called on unjustifiable control upon our proceedings. But then let them have more frequent opportunities of varying the choice of their representatives, that they may dismiss such who have unfaithfully withdrawn their attention from them.

The influencing powers of the Crown are daily increasing, and it is highly requisite that Parliaments should be frequently responsible to their Constituents ; that they should be kept under the constant awe of acting contrary to their interests. Modern history, I believe, will inform us, that some very dangerous attempts upon our liberties have been disappointed ; not so much from the virtue of many in this House, as from the apprehensions they may have had of an approaching election.

It is true there is a provision against such whose places vacate their seats here, but this is no guard against secret Pensioners and place-holders. Give me leave to say, that the laws, with respect to them, are very insufficient, and as

we are not allowed to make them effectual, the people have no other remedy but a new election.

I think that long Parliaments are a great hardship on those who may be excluded out of this House, and ought reasonably to take their turn: but seven years is the purchase of a man's life. It is equally hard upon such, whose private fortunes will not admit them to engage in so long and painful a service. It must be so to those who mean no view or advantage by it.

I think too, that nothing can be of greater use to His Majesty than frequent new Parliaments; that he may often take the fresh sense of the nation, and not be partially advised. For his measures will always have a greater weight both at home and abroad, the more generally he refers himself to the opinion of the People.

A farther mischief of long Parliaments is, that a Minister has time and opportunities of getting acquaintance with Members, and of practising his several arts to win them into his schemes. But this must be the work of time. Corruption is of so base a nature, that at the first sight it is extremely shocking. Hardly any one has submitted to it all at once. His disposition must be previously understood, the particular bait must be found out with which he is to be allured, and after all, it is not without many struggles that he surrenders his virtue. Indeed, there are some who plunge themselves head over ears into any base action; but the generality of mankind are of a more cautious nature, and will proceed only by leisure degrees. One or two perhaps have deserted their colours the first campaign, some have done it a second. But a great many, who have not that eager disposition to vice, will wait till a third.

For this reason, short Parliaments have been less corrupt than long ones; they are observed, like streams of water,

always to grow more impure the greater distance they run from the fountain head.

I am aware it may be said, that frequent new Parliaments will produce frequent new expences ; but I think quite the contrary. I am really of opinion, that it will be a proper remedy against the evil of bribery at elections, especially as you have provided so wholesome a law to co-operate upon these occasions.

As to bribery at elections, whence did it arise ? Not from country gentlemen, for they are sure of being chose without it ; it was the invention of wicked and corrupt Ministers, who have from time to time led weak Princes into such destructive measures, that they did not dare to rely upon the natural representation of the People. Long Parliaments first introduced bribery, because they were worth purchasing at any rate ; country gentlemen, who have only their private fortunes to rely on, and have no mercenary ends to serve, are unable to oppose it, especially if at any time the public treasure shall be unfaithfully squandered away to corrupt their boroughs. Country gentlemen, indeed, may make some weak efforts, but as they generally prove unsuccessful, and the time of a fresh struggle is at so great a distance, they at last grow faint in the dispute, give up their country for lost, and retire in despair. Despair naturally produces indolence, and that is the proper disposition for slavery. Ministers of state understand this very well, and are therefore unwilling to awaken the nation out of its lethargy by frequent elections. They know that the spirit of liberty, like every other virtue of the mind, is to be kept alive by constant action, that it is impossible to enslave this nation, whilst it is perpetually upon its guard. Let country gentlemen then, by having frequent opportunities of exerting themselves, be kept warm and active in their contention for the public good : this will raise that zeal and indignation,
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which will at last get the better of those undue influences, by which the Officers of the Crown, though unknown to the several boroughs, have been able to supplant country gentlemen of great characters and fortunes, who live in their neighbourhood. I do not say this upon idle speculation only. I live in a county where it is too well known, and I will appeal to many gentlemen in this House, to more out of it (and who are so for this very reason) for the truth of this assertion. It is a sore that has long been eating into the vitals of our Constitution, and I hope the time will come when you will probe it to the bottom; for if a Minister should ever gain a corrupt familiarity with our boroughs, if he should keep a register of them in his closet, and by sending down his treasury mandates, should procure a spurious representation of the People, the offspring of his corruption, who will be at all times ready to reconcile and justify the most contradictory measures of his Administration, and even to vote every crude, indigested dream of their Patron into a law; if the maintenance of his power should become the sole object of their attention, and they should be guilty of the most violent breach of parliamentary trust, by giving the King a discretionary liberty of taxing the people without limitation or controul—the last fatal compliment they can pay to the Crown—if this should ever be the unhappy circumstances of this nation, the People, indeed, may complain; but the doors of that place where their complaints should be heard, will for ever be shut against them.

The power of the Crown is very justly apprehended to be growing to a monstrous, I should have said, too great a size, and several methods have been unsuccessfully proposed for restraining it within its proper bounds.

But our discourse, I fear, is of a complicated nature, and I think that this motion is wisely intended to remove the first and principal disorder. Give the People their antient
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right of frequent new elections; they will restore the decayed authority of Parliaments, and will put our constitution into a natural condition of working out her own cure.

Upon the whole, I am of opinion, that I cannot express a greater zeal for His Majesty, and for the liberties of the people, or the honor and dignity of this House, than by seconding the motion which the honorable gentleman has made you.

Sir John Saint Aubyn, March 13, 1784.

What may now be the way of thinking with some gentlemen amongst us, about the liberties of their country, I shall not pretend to determine, Sir, but if people's way of thinking can be learned from their speeches and declarations, I am very certain, that their former way of thinking was, that the liberties of this country would not be preserved, unless some proper methods should speedily be taken for preventing the effect of ministerial corruption, both in Parliament and at elections; and that the most proper and effectual method for this purpose, was to make elections as frequent as possible. This, I am sure, was formerly their way of thinking; I hope it is so still; but whether it is so or not, it is a right way of thinking; and therefore I shall conclude what I have now to say, with a motion for returning to our antient method, of having a new Parliament every year chosen. That this was our antient Constitution cannot be disputed, because it is so expressly declared by two acts of parliament in Edward III.'s reign, that a Parliament shall be annually holden; and every one knows that long prorogations or adjournments were not then introduced or known; so that the meaning of both these laws must be, that a Parliament should be every year chosen as well as had, which is the opinion of all those that have wrote upon the subject; and if we consider the nature and business of this Assembly, it is certainly agreeable to reason it should be so.

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The Members of this House, Sir, are the great and general inquisitors of the nation ; we are to take notice of, and to take proper methods for redressing all the grievances that occur, whether they be such as relate to the kingdom in general, or such as relate to the particular counties, cities, or boroughs we represent. Now, as grievances are almost annually occurring, and as some grievances are the more difficult to be removed, the longer they continue ; therefore it is necessary we should visit our Constituents, at least, once a year, to know their sentiments, and to examine, upon the spot, the grievances they complain of ; but this is not to be expected, unless you make the elections annual ; for we find by experience, that after gentlemen are once chosen for a long term of years, they fix their abode in this city, and seldom re-visit their Constituents, till it becomes necessary for them to go down to solicit their votes at a new election. Nay, since the establishment of septennial Parliaments, we have often had gentlemen in this House, who never saw the borough that sent them hither, nor knew any thing of its Constitution or interest, perhaps could not recollect its name, till they looked into the printed lists of Parliament, for their own name, and there found they represent such a borough.

Another part of our business, Sir, is to represent to our Sovereign the sentiments of our Constituents, with regard to the measures he is advised by his Ministers to pursue, as well as with regard to the persons he employs in the executive part of the government. If we ever think of doing this faithfully and sincerely, we must visit our Constituents at least once a year, because every year produces some new measure, and every year some new persons are introduced into public business. This, I say, is another part of our duty, and when it is faithfully or sincerely performed, it is of great advantage to the Prince upon the throne, because it prevents his being led on in a track of unpopular measures,
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till both he and his Ministers are overwhelmed in the torrent of popular resentment, which often happens in arbitrary countries, where the Prince is tumbled headlong from his throne, before he knows any thing of his having pursued unpopular or wrong measures ; whereas, had he had timely information, he might have restored himself to the love and affection of his subjects, by making a just sacrifice of his wicked Counsellors to the resentment of his oppressed people. As the Prince can have no interest separate from his People, his interest if he rightly considers it, must lead him to gain the love and esteem of his People, and to avoid every thing that may give them discontent : It is, therefore, his interest to have always a House of Commons that knows, and will faithfully and speedily represent to him, the complaints and grievances of his People ; but this is directly opposite to the interest of his Ministers. In all countries, and in this as much as any other, Ministers have an interest separate from that of the People ; they are for enriching themselves, their families, tools, and sycophants, at the expence of the People ; and it is their business to keep all the avenues to the Throne shut up against the complaints of the People, lest the Prince should, as every wise one will, sacrifice them to his own security. Ministers must, therefore, be for having always a House of Commons, that either does not know, or will not faithfully represent to their Sovereign the complaints and grievances of the People ; and as we are much more affected with what we see than with what we only hear of, it is the business of a Minister to prevent the Members of this House, if possible, from ever seeing their Constituents ; because, the less we are affected with, the more easily we may be prevailed on, to conceal from our Sovereign, or even to misrepresent to him, the complaints of the People.

Thus, Sir, it is apparently the interest of the King, it is apparently the interest of the Country, to have short Parliaments

liaments and frequent general elections ; but it is apparently the interest of Ministers, especially wicked Ministers, to have Parliaments as long, and general elections as seldom, as possible ; therefore I hope it will be granted, that annual Parliaments are more agreeable to the reason of things, and the nature of our Constitution, than Parliaments of any longer duration ; and of this we must be convinced even to demonstration, if we will but consider, that we are, properly speaking, the Attornies of the People. Is it prudent, is it reasonable, that any man should give a power of attorney irrevocable for a long term of years ? Shall a whole people do what would be the height of foolishness in every individual ? The People, or at least such of them as have any knowledge of public affairs, and by such the rest are generally governed ; I say, the People may guess at what sort of business is to come before the next ensuing session of Parliament, and they may choose an attorney, who, they think, has capacity and integrity enough for transacting that sort of business for them ; but they cannot so much as guess at what may come before Parliament in a course of seven years, nor can they depend upon the continuance of any man's integrity for such a number of years. It is therefore most unnatural and unreasonable to force the People to give an irrevocable power of attorney for such a long term. The practice was first introduced under the reign of Richard II. and was approved of by a Parliament that in every instance betrayed the liberties of the People they represented, and sacrificed the interest of their country to the violent passions of their Sovereign and the insatiable avarice of his Ministers, They concealed from him, or misrepresented the discontents and murmurings of his People ; and thereby led him into a deceitful security, which soon ended in his ruin, and the advancement of the Duke of *Hereford*, or rather *Lancaster*, to the Throne, without any other title than that of having rescued the People from slavery.

This,

This, Sir, was the fate of the Prince who first introduced long Parliaments ; and therefore from experience, as well as reason, we may be convinced that short Parliaments, and frequent general elections, are most for the interest of the King ; but unluckily the interest of Ministers lies, as I have said, upon the other side of the question, not only for the sake of preventing the Members of this House from being affected with the cries and groans of the People, but for another reason, which is still more effectual for their wicked purposes ; I mean, that of corruption. From the very principle adopted by all wicked Ministers, that every man has his price, it is evident to a demonstration, that a ministerial corruption may be more successful at elections when they are but rarely to happen, than when they occur annually ; and that a Minister may more probably obtain a corrupt majority in a long Parliament than a short one. To draw the comparison between annual and septennial Parliaments, and first with regard to elections, in every county, in every little borough of the kingdom, it must be granted that there are some gentlemen who have a natural interest ; they are acquainted with and esteemed by the leading men in the county or borough ; and many of the lower class, perhaps, support their families by the employment they have from such gentlemen and their friends. If elections were allowed to go in their natural course, such men only would be chosen who had the greatest natural interest ; but against such an one a Court candidate, with the Treasury at his back, comes to set up, and to set up upon the ministerial principle, that every man has his price ; which, for argument's sake, I shall allow to be a true one, and I am sorry it has of late years been so much confirmed by experience. Suppose then, that every one of the electors in this county or borough has his price, or that a man in tolerable circumstances will sacrifice his country, his friends, and his character, or a tradesman his employment, for what appears

appears to him to be a trifle; we must therefore suppose, that a man whose price is *seven guineas*, will not sell his vote for *one*; nor will a man, whose price is *seven hundred*, sell his vote for *one hundred*. Now, suppose the Treasury could secure a majority in this borough for *seven guineas* a man, this they may spare to give for a seven-years Parliament, but cannot spare to give so much every year: therefore, in annual Parliaments, this borough will return to, and be governed in its election, by what we call the natural interest; whereas in septennial Parliaments it will always be governed by corruption.

I know it may be said, Sir, that a man who sells his vote for *seven guineas* to a septennial-parliament candidate, will sell it for *one* to an annual-parliament candidate; because he knows he may sell it for the same price yearly, and an annuity of *one guinea* yearly, is better than *seven guineas* every *seven* years; but this, I am convinced, will, by experience, be found to be false. It is the largeness of the sum that dazzles both the avaricious and luxurious, who seldom think of futurity; if they did, they would never sell their vote at any price; because they know that those who purchase must sell, and that by selling their votes at any price they render not only their liberties but their properties precarious. Besides, no man can be assured of having an opportunity to sell his vote the next ensuing year, and much less can he be sure of selling it yearly for seven years to come; he may die before the next election; the Administration may be changed, and a new one set up, that does not stand in need of corruption: a spirit may arise in his borough that may render it impossible for any man to hope for success by corruption; and without hopes of success no man will be at the expence of corrupting: Many other accidents may happen for disappointing him of ever having an opportunity to sell his vote at an election; and if so, for the sake of *one guinea*, or some such paltry sum, he stands branded as long

as he lives, with the character of a venal betrayer of his country. I therefore think we may with great certainty conclude, that though a man may be tempted to sell his vote for *seven guineas* to a septennial-parliament candidate, he will disdain to sell his vote for *one guinea* to an annual-parliament candidate; and consequently that it is much easier for a Minister to get the command of a majority of our elections, when they occur but once in seven years, than it would be, if they were made to recur annually.

Now, Sir, with regard to Parliaments, by the same way of arguing we must be convinced, that it is easier for a Minister to gain a corrupt majority in a septennial than an annual Parliament. Here again it must be allowed, that different men have different prices, and that a man who will sell his vote in Parliament for 7000*l.* or even for 3500*l.* would disdain to sell his vote for 1000*l.* Suppose then a Minister should not trouble his head with elections; but trust, as a late Minister (Sir Robert Walpole) wantonly said, *to the buying the Members after they were brought up to market*, and that by this means a majority had been chose upon the country interest: in these circumstances, the Minister must presently apply himself towards buying off such a number of that majority as may be necessary to throw the majority upon his side of the question; and is it not evident, that in this attempt he may more probably succeed in a septennial than an annual Parliament? In the former, if he offers a pension of 500*l.* or 1000*l.* a year, as long as the gentleman continues a Member, it is immediately considered as a sum of 7000*l.* or 3500*l.* to be paid in seven years; but in the latter, it can be considered only as a *single thousand*, or a *single five hundred*, because the gentleman who accepted of it, and upon that account deserted the interest on which he was chosen, would certainly be thrown out upon the next general election.

Sir, if our septennial Parliaments be longer continued, I shall not wonder to see the Minister's letters of recommendation,

dition; with respect to the choice of any candidate, as implicitly obeyed in all our counties, cities, and boroughs, as the King's *Conge d'Elire* is now in the cloysters of our episcopal cathedrals; and if this should ever come to be our case, I shall look with indignation upon every man who pretends to be a *free Briton*. The very pretence would be an insult upon the understanding of him it was addressed to. We should be all slaves: God knows to whom; but I hope it never will be to any Minister from Hanover. I say, I hope, it never will be to any Minister from Hanover; though it is hard to tell what a corrupt Parliament may not do, what a corrupt nation may not do, or submit to. But happen what will, I am resolved, while I live, to endeavour to prevent such a dismal catastrophe; and therefore I shall conclude with moving for leave to bring in a bill to enforce the calling of a new Parliament every year, after the expiration of this present Parliament.

Thomas Carew, Esq; Jan. 29, 1744.

The House of Commons is a branch of the Constitution, that has been established by our own Saxon ancestors, at which time they were only annual. They were set aside for one hundred and forty years by the Normans. On their revival they continued of short duration, being mostly annual, till the reign of Henry the VIIIth, where tyranny was never complete until established by that long Parliament. The next long Parliament was that commonly so called in 1641, who, by establishing their form of sitting, brought the greatest destruction on the Constitution. The pensionary Parliament in the reign of Charles the II^d was also productive of bad consequences to the Constitution; to remedy which the Triennial Bill was passed, restraining them from sitting more than three years duration. This was overturned by that breach of the Constitution in George the First's reign, the voting themselves septennial, and

and passing the septennial bill. Though, perhaps, the particular necessities of the times might render such an act at that day necessary (a rebellion just crushed, and a Pretender to the throne, making it highly improper to call the people together at that time) yet that necessity is now at an end, none of those dangers now hanging over us.

The length of Parliaments gave up that power which the constituents ought to have over their representatives, that of frequent examination into their conduct, and rejection of them if they thought them unworthy.

That long Parliaments gave an opportunity for such an intimacy between the Ministers and the Members, as was always dangerous and destructive to the Constitution, is as undeniable, as that the shortening the duration of Parliaments is subject to fewer objections, especially if rendered *annual*, than triennial.

Mr. Sawbridge, April 26, 1771.

Frequent Parliaments, Sir, are the antient constitution of England, and the right of the people to them from the nature of all delegated power. If a representative acts contrary to the duty of the trust reposed in him at the very first session of a Parliament, is it fit that his constituents should be compelled to wait till the end of a tedious period of seven years, before they are to have an opportunity of depriving him of a power he has already abused? I think the case I have mentioned, Sir, exactly exists as to this very Parliament. Gentlemen have talked of the late Parliament in terms of reproach and indignation which so profligate an assembly merited. But I fear, Sir, the present Parliament are treading in the same steps which led their predecessors to the utter hatred of the nation. The people out doors, especially in the capital, make no scruple to affirm, that the majority of this House have, even thus early, in one great instance, acted contrary to the plain duty which
they

they owe to their country, and to the sacred trust reposed in them. I allude, Sir, to the contempt shewn of the petition of so respectable a body as the merchants trading to North America; and this they have done in defiance of all the great principles of the Constitution. I am sorry to observe, that the fear is become very general; that from this very early abuse of their trust, the delegated powers the same men have so lately received, for the security and preservation of our rights, will be employed in a course of the next seven years for our destruction, and that of our fellow subjects in America, and the ruin of our common liberty, notwithstanding the present excellent motion of the honourable gentleman (Mr. Sawbridge) for shortening the duration of Parliaments. A new argument, Sir, in favour of the motion in your hand, seems at this time to arise from the nature of many of the petitions for undue elections, which have been presented to us this session. They complain chiefly of bribery and corruption. Short Parliaments, Sir, if they did not totally eradicate this most pernicious practice, would certainly greatly diminish the evil; nor at the return of frequent appeals to the People would the public money, in a Minister's hands, be always adequate to counteract the wishes of the nation; nor the floodgates of the Treasury, being opened in such a case, afford torrents copious enough to carry away all sense of duty to the Constitution, or love of the country.

I will only trouble you, Sir, with one more short observation. I look upon this motion as a kind of test which must come home to our consciences. It cannot fail of meeting, in this House, the support of the true friends of the Constitution, of all who mean to act honestly, as well as the opposition of the venal and interested, of those who have already forgotten their duty to their constituents, and of those who think lightly of all such ties and obligations. Those who have merited well of their constituents will always rejoice at the opportunity of applying for the most frequent proofs of regard and trust, will

desire and solicit this appeal; who have acted contrary to the clear dictates of their duty, will dread every such occasion, and tremble at the very idea of the spirited indignation with which they would be rejected.

Mr. Wilkes, Feb. 1, 1775.

With all respect and deference to this honourable House, I assert, that it is an observation of a wiser man than any within these walls,—I except not the right honourable personage who again so ably, so worthily, so impartially, and so unanimously fills the chair,—that *to every thing there is a season, and a time to every purpose under Heaven.*

Perhaps it may not be amiss that I should inform some noble Lords and gentlemen in this august assembly, that the words are the words of Solomon, and that they are taken from an obsolete book, commonly called the Bible.

It is, however, much to be feared, that the honourable gentleman (Mr. Sawbridge) who made the motion, notwithstanding all he has been saying, has not paid due regard to those words of the wisest of men, else he would not have chosen the present time to manifest his zeal for our *reformation*; a time when so much public national business calls for our immediate attention. But the ruling passion will ever be uppermost; and when a man is tired of every thing else, he can mount his own hobby-horse with alacrity.

Sir, I am a cordial friend to a Parliamentary Reform; I mean so far as relates to a more equal representation; I have voted for it; I have spoken according to my poor abilities in favour of it; and I hope to give it my support again, whenever I see it brought forward at a proper time, and in a proper manner. But I solemnly declare, that I think the honourable gentleman's injudicious and ill-timed ardour will greatly hurt the cause he means to defend; insomuch, that if the House comes to a division to-night, I doubt whether the honourable gentleman's *hobby* will carry double: and whenever I act the part of a

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Don Quixote, I should be sadly disappointed indeed, if I could not get one poor Sancho Pancha to mount behind me on my Rosinante.

Sir, I have been considering what could be the honourable gentleman's reasons for bringing on his motion at this time, and the three following have been suggested to me :

1. The honourable gentleman might think it would give him a little more *importance*.

And indeed, when I reflect on the *importance* of the thing itself, and the many difficulties attending the execution of it, the honourable gentleman cannot think I depreciate him, when I affirm, that all the weight and consequence, all the judgement and abilities of this House collectively, are not more than equal to an undertaking of such prodigious magnitude.

2. The honourable gentlemen might imagine it would raise his own *popularity*, and be the means of wiping away from the minds of his constituents what *they* might perhaps think some little *faux pas* in his late conduct.

But I am far from thinking he will be able to gain their favour by this device, or at all *raise* his popularity among a respectable body of sensible, judicious, opulent citizens, from whom I am sure the honourable gentleman has received no instructions to begin his parliamentary career with an attempt to stop parliamentary business.

3. The honourable gentleman *might* think, (I don't say he does so think, but there are abundance of cogitations in the human mind,) that if his own popularity would be increased by bringing on the motion, *that* of the Minister would be lessened by rejecting or postponing it; notwithstanding the honourable gentleman's great politeness and profound humility in offering him the preference in the business. But I must say, that the conduct of the Minister has been so uniformly consistent in favour of a Parliamentary Reform, that all attempts to injure him on that score must appear poor and futile indeed. And I am persuaded, that if he were now to begin on a business

ness so arduous in itself, and which must necessarily be attended with so many obstructions, that instead of making himself more popular, he would justly rouse the popular indignation against him.

Would it not be said on all sides, what is to become of loan and taxes? What of public credit? What of commerce? And, after all, what is to become of India?

Instead of disputing by whom parliamentary business ought to be done, why don't we proceed to the immediate doing of parliamentary business?

Such, Sir, would be the language both within and without doors, were the Minister, at this busy crisis, to bring on any projects for a reform of Parliament. And I am sure the honourable gentleman himself is of opinion there are many things which may be very fit and proper to be done at one time, which at another he would think extremely inexpedient and *mal-a-propos*.

To particularise only in an instance in familiar life. I have heard that the honourable gentleman is remarkably fond of whist, and that he is so excellent a player, that he can correct even Hoyle himself: yet, if a few friends were to come to the honourable gentleman's house in the middle of the night, knock up all his family, awaken him out of a sound sleep, and insist upon his immediately getting up and playing a rubber at his favourite game, might he not well answer: "My friends, " what are you about? Are you out of your senses? Whilst " I love, and will play as many rubbers as you please to-mor- " row evening; but sleep is now the thing that I want, and " that my *constitution* wants also."

Besides, the honourable gentleman might perhaps add, "You have disturbed me in a most pleasing dream, wherein " *methought* I was in the House of Commons, and *methought* " we were dividing on my motion for a Parliamentary Re- " form, and *methought* I had a majority of more than 200."

I must

I must therefore address you, my friends, in the words of Horace,

———— Pol me occidistis amici,
 ———— Cui sic extorta voluptas,
 Et demptus per vim, mentis *gratissimus* error.

Or nearly in the words of Pope,

Asleep, a patriot of distinguished note;
 Awake, reduced unto a simple vote.

Thus, Sir, have I endeavoured to fathom the honourable gentleman's three reasons for bringing on his motion at this time. They may indeed go deeper, but I confess my line will reach no farther. The honourable gentleman may, if he pleases, distinguish them into *good, better, best*, but I am obliged, *malgré moi*, to view them in a different light, and therefore must change the honourable gentleman's *bonus, melior, optimus*, into *malus, peior, pessimus*.

But, Sir, though I profess my dislike of this motion as being ill timed, I must again declare, that I heartily approve of the thing moved for, and hope, at some proper opportunity, to have the honour of laying before this House some new hints on the subject, which I have lately received from a very sensible gentleman, who is one of my constituents. But, at present, I shall not mention them; neither shall I say any thing, however not much, concerning certain rotten boroughs, out of which so many half-starved rats have crept, as at times had well nigh undermined the foundation of this House.

We may, if we please, call ourselves the representative body of the people; but as I had the honour of observing to you, Sir, upon a former occasion, this House exhibits much such a representation of the people, as you yourself do of this House, when you are starving in St. Margaret's church on the 30th of January, and *some of your attendants*, perhaps, counting the moments of the preacher's sermon. But, Sir, there is an old

adage, that *friends in distress make sorrow the less*, and you have, at least, the comfort of knowing that a still more distinguished personage than yourself, the great and learned representative of the House of Peers, is at the same moment undergoing the same annual frigid discipline not 100 miles distant from you.

I beg pardon, Sir, for this digression; however, I am perfectly orderly; for I am speaking of unequal representation; but the subject being too delicate to dwell upon, I shall immediately go back to my point.

Sir, it is notorious that some worthy members of this House have no *constituents*, perhaps only one *constituent*, and perhaps themselves both the *constituent* and the *constituee*. Hence those offensive expressions to the ear of independence, "Lord Such-an-one's borough, Mr. Such-an-one's borough." Well, then, might the ingenious member for Kirkwall, *alias* the *hopeful* member for Westminster, (for I presume he is *full of hopes* of success), find out that the voice of the people both is, and is not, to be heard in this House. Here, Sir, what is wrong, and what is wanted, must appear to every man; but how to rectify the wrong, and supply the want, has puzzled, and will puzzle, much wiser heads than the honourable gentleman's and mine.

Those gentlemen, indeed, who make no scruple of voting away rights and charters, may think there is an easy method of getting rid of as many rotten boroughs as they please; but as some such gentlemen represent some such boroughs, I am inclined to think, that when it comes to themselves, they will alter their sentiments, and perceive a flagrant injustice in their own case, which had no existence where the *confiscation* of the property of a great respectable company was to be the effect of their *aye* or *no*.

Men of wit may ridicule the idea of Parliamentary Reform, by saying, that *a tinker had rather mend a kettle than the Constitution, and a labourer rather make a faggot than make laws,*

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And where is the thing, however excellent, which has not been ridiculed? But as to arguments, I must hear better than any I have yet heard, to convince me that a Parliamentary Reform is not much wanted, and much to be wished.

As to the stale cry of *innovation! innovation!* it is so very absurd, that it is fit only for the lips of *his Holiness*, or old *Mother Goose*. If this plea were to be admitted, good night to every thing but to ignorance and barbarism. According to this plea, no one thing that is wrong ought ever to be amended. Nay, the longer abuse and error have existed, the longer they ought to exist; and the state or nation, which has groaned for centuries under any particular grievance, ought to bear the burden of that grievance as long as the world stands. Even injustice may be sanctified by time, and oppression by being oppressed.

If this doctrine had always been adhered to, where would have been many of our civil liberties at this day, when we withstood not the *imaginary*, but the real arbitrary ideas of prerogative, which some contended for as the very basis of the Constitution, and which would have made the English diadem as absolute as that of France? Above all, where would have been that religion, which came down to us streaming in the blood of Protestants, Martyrs, and Confessors? That religion, which, however despised and ridiculed it may be in this degenerate day of profligacy and dissipation, instead of being ashamed of, we ought to glory in, and to make the rule of all our conduct, both in public and private life.

Overwhelmed by arbitrary power, and sunk into the dregs of Popish superstition, we should now have had nothing to console ourselves with but the reflection of having steered clear of every attempt towards any reformation either in Church or State, for fear of the danger of innovation.

According to this doctrine, the man who has an unhealthy state of body ought never to be cured; or, if he send for the physician, the wise doctor shall shake his head and say, "To

be sure, Sir, you are but in a bad way, but I shall not attempt to administer any relief to you. You have been sick so long, that sick by all means you ought to continue."

Now, Sir, I suppose nobody will affirm that there are no diseases in the body politic, as well as in the body natural; and I suppose that nobody will deny that the great body politic of this kingdom has been for several years past, (indeed ever since the Administration of one, whose name can never be mentioned but with veneration in this House, I need not say I mean the great Earl of Chatham,) in an *atrophy*, and during the time that the noble Lord in the blue ribband held the reins, in a *galloping consumption*. We have tried bleeding long enough, and bleeding with *leeches* too; I have no objection to try the *alterative* in question, when the body is in a fit state to receive it: but I am sure, for the reasons already given, that at present it is not; and nobody but an empiric or quack who is totally unskilled in the knowledge of political *chemicals* and *galenicals*, will say that it is.

If I have talked too long in the medical stile, I humbly hope the House will pardon me, and I am sure I shall meet with the indulgence of a learned Lord, I mean the Lord Rector of Glasgow; though, alas! all his prescriptions the other night had no other effect than to procure the easy dismissal of his patient without a struggle, or without a groan. And I am sure it was to the general satisfaction of this assembly, that the poor creature went off so easily and so peaceably. He knew it would be contrary to order for him now to say any thing of that learned Lord's speech; but as the learned Lord was pleased to assert, that when a right honourable Secretary brought in the India bill, he wished for neither power nor emolument to himself or friends, but that he acted from noble motives, and despised all such trifles; he would just take the liberty of observing, *en passant*, that there was an old fable they were all well acquainted with, which says, "That when Reynard leapt

leapt very high at the grapes and could not reach them, he sneaked off, and said they were four."

Now, Sir, after all I have said, on which side must I give my voice? I certainly shall not vote against a measure which I heartily wish, at a proper time, to see adopted: but as I think this is by no means such a time, I shall do, Sir, what you would be very glad to join me in, (but, alas! dignity of office debars you of the privilege), I shall leave the honourable combatants to fight it out among themselves, and shall go home and try to get a good night's rest.

You, Sir, have had the repeated pleasure and benefit of hearing every speech which has been delivered on the subject for some years past, and therefore must have made up your mind on the point. But whether you are for a reform in the representation or duration of Parliament, or whether with the noble spouse of the late right honourable Secretary, you think both had better be deferred *ad Calendas Græcas*, I will answer for you, Sir, that you think a reform in the *duration* of our debates, and I will say in the *duration* of our *motions* too, would be highly praise worthy. And if to these I add a reform in our tempers whilst debating, I believe I should be joined by the whole House *nem. con.*

As, therefore, I began with one saying of the wise man, I shall end with another; which is, *An angry man stirreth up strife, and a furious man aboundeth in transgression. But a soft answer turneth away wrath.*

Sir Richard Hill, June 17, 1784.

A noble Lord (Lord North), formerly the Minister of this kingdom, has endeavoured to convince the right honourable Chancellor of the Exchequer, that he is bound no longer, by his engagements to the public, to support a Parliamentary Reform; which, therefore, the noble Lord advises him to relinquish. Sir, the friends of the right honourable Chancellor are under no apprehension that he will take his Lordship's advice,
not

not only from their being convinced that his Lordship is the last man in the kingdom whose advice he would chuse to take, or whose example he would wish to follow, but from the still stronger reason of their being perfectly assured that no consideration under Heaven would induce him to abandon an object which he believes essential to the happiness of his country. The arguments of those who, in the course of the debate, have endeavoured to combat the propriety of this motion, seem to be reducible to three specific objections: the first is, that the people do not wish for a reform in Parliament. The second is, that whatever may be the wishes of the people, a reform in Parliament would be highly prejudicial to the interests of the public. The last is, that, abstractedly from all other considerations, this particular mode of effecting a reform in Parliament is dangerous, and the time highly inexpedient.

To each of these objections it is easy to reply: my arguments will be short and few.

In the first place, it is said the people do not wish for a reform. In answer to this assertion, I can appeal with confidence to the language of the most popular candidates in all the popular elections; for if we may judge of the wishes of the people by the arguments which those, who are candidates for their favour, make use of to conciliate their esteem, we must be convinced that a Parliamentary Reform is, of all objects, that which the people have most at heart.

The noble Lord has said, that he believes no House of Commons more popular than the present has ever existed in the kingdom—none, for so he must mean, that ever enjoyed, in a more ample degree, the good opinion and confidence of the people. I perfectly agree with him in this belief, and therefore I am confident that a reform in Parliament, which was always the public *wish*, is now, perhaps, for the first time, the public *expectation* too: for the people are persuaded, that whatever were the sentiments of the late Parliament, you will not blame their endeavours to procure, not that ideal and absurd equality
which

which the noble Lord ridicules and condemns, but that enlargement of their political freedom which is essential to the security of their civil rights. They wish to place as many guards as possible around those high privileges, which they alone, of all the principal nations of Europe, continue to enjoy, but which they well know must cease with them also, whenever they shall cease to be the constant objects of their care.

They are confident, therefore, that you will not blame their zeal, if following the example of their ancestors, they endeavour to preserve their constitution, by arresting the progress of abuse, and by endeavouring to obtain such new regulations as the common sense and the common feelings of mankind recommend. To that common sense and to those feelings they appeal, from the assertions of the noble Lord, when he declares, that for a reform of Parliament there is no plea, either of necessity or use; for they ask, "Is it not unwise to give to an agent such a continuance of power as must render him independent of his employers, and encourage him to use, for his own benefit, that authority that was given him for theirs?" "In private life, this would be considered as the excess of folly; in public life, it is impossible it should be wisdom."

The people, says the noble Lord, have no reason to wish for a reform. *They* think they have the most forcible of all reasons, a certainty founded on their own experience, that no delegated power will long be faithfully exercised, unless it frequently return to those by whom it was bestowed.

Are they asked for proofs of this assertion, their answer is, "a national debt of 250 millions;" a debt which no credulity can believe the people themselves would have contracted; which no credulity can believe the representatives of the people would have contracted, if they had had no interest but that of the people; a debt, of which we know that much has been contracted in a way that profligacy itself will not dare to justify; for in one single year, to say nothing of other years, to charge *twenty-one* millions of money to the national account,

when only *twelve* millions were borrowed, is a transaction which no man living will have the hardihood, in the face of his country, to defend.

The noble Lord talks of a reform in Parliament as of entire ruin to the Constitution. The people will tell him that *they* have not forgotten, though it seems *he* has, that within the memory of persons now living the Parliaments of this country were triennial; they will tell him, that to this hour they must have continued triennial, if the first principles of the Constitution had not been abandoned, and its most sacred rules grossly and indecently violated; for if there is any one maxim of the Constitution which, more than another, challenges particular regard; if there is any one to which a peculiar sanctity belongs, it is the maxim that the House of Commons shall be appointed by the people; whereas that House of Commons that repealed the Triennial Act was, as to the last four years of its existence, self-appointed. The people empowered them to make *laws*, they did not empower them to make *legislators*.

To restore to the people a benefit, of which they were so unconstitutionally, so unjustly, so tyrannically deprived, is an object which every friend to the people must have most sincerely at heart.

I know I shall be told, that if triennial Parliaments should be restored, the expence, by being doubly frequent, would become an intolerable evil. My answer is, that if the evil should be intolerable, it must be of short continuance; its magnitude will enforce correction; and indeed there is much reason to believe, that till the frequency of elections shall have made the expence intolerable, no effectual law for restraining that expence ever will be passed.

The noble Lord has described the defects in our present Constitution as blemishes of no account, as spots which the sharpest eye finds it difficult to trace. On behalf of the people, permit me to tell his Lordship what they think of these shadowy defects, these blemishes of difficult discernment. Is it not, they say,

say, contrary to all reason, that less than seven thousand electors should return a majority of the representatives of seven millions of people? Is it not unjust in the highest degree, that twelve electors should return twelve members of Parliament, when the whole city of London returns but four? Is it not the excess of folly that places without inhabitants, and without houses, should have representatives in Parliament, when Manchester, and Leeds, and Birmingham, have none? Sir, the people know not in what sense of the word the late House of Commons could be called their representatives, “when their language (say they) was contrary to our sentiments, and their conduct abhorrent to our wishes.”

The noble Lord tells us, that the late House of Commons was not charged with being too much subjected to the influence of the Crown; they were not, he says, dissolved for *this* crime. Sir, the late House of Commons were accused of not speaking the sense of their constituents; *this* was the offence for which they were dissolved. From the dangerous designs of that House of Commons, the interference of the Crown has fortunately saved us; but let us not therefore think that the Constitution is secure: for what if the Crown, at some future period, should join the House of Commons against the People—What if the illegal decrees of the House of Commons should be supported by the army; those peace officers, as they have been called, with bayonets in their hands—Where then will be found the boasted security of the British Constitution? Where then will be the difference between the freedom of England and the slavery of France?

The noble Lord seems to be impressed with melancholy apprehensions of the dangers that may follow the appointment of such a Committee as the motion before you describes. For my own part, I cannot think so irreverently of the House as to believe that the number it contains of wise and moderate men is so small, as not to furnish the very few that are requisite to compose a Select Committee. I am confident that a
large

large proportion of the House consists of men whose zeal is tempered with prudence, whose ardour is guided by knowledge, and who think, that were they named to such a Committee, their business would be not to invent systems of ideal, unattainable good, but to point out to the House the defects in the present state of the representation of the people, and to suggest such remedies to those defects as are best suited to the laws, and most consonant to the genius of the Constitution.

Some of those gentlemen who preceded the noble Lord in the debate have objected to the motion, from an idea that the present is not the season for deciding on business of such infinite importance.

Sir, I am convinced, and I speak it with much concern, that a reform in Parliament is a matter of immediate necessity; for when the executive power of our East-India dominions shall be placed in the Crown, and no where else can it be constitutionally placed, who does not foresee that, without a reform in Parliament, an overwhelming influence will bear down the strongest barriers of the Constitution? The noble Lord will advise us to vest the government of our India possessions in Commissioners appointed by Parliament, and to give executive power to the delegates of the people. But God forbid that his advice should be followed, for that would be to destroy the very foundations of our Government, and to break up the very ground on which the Constitution stands! On the other hand, it equally concerns us to beware of increasing the power of the Crown, without strengthening at the same time the fences of the people's freedom.

To avoid the evils of this unhappy dilemma, that of an immediate surrender of our Constitution on the one hand, or on the other that of destroying the balance of its powers, which must ultimately terminate in its ruin, no other way presents itself to our choice, but that of shortening the duration of Parliaments, and guarding against an increase in the influence

ence of the Crown, by reforming the representation of the people.

Mr. Beaufoy, June 17, 1784.

If the question to which I have the honour of calling your notice this day had not so long engaged the attention of the House and the Public, its magnitude and importance are so obvious, that it would have been sufficient for me barely to have stated it, in order to have drawn to it that serious consideration to which it stands so amply entitled. This House has, from its earliest infancy, imbibed a reverence for the Constitution of the country; not a blind enthusiasm for the Constitution, that would not let it see its few imperfections as well as its many excellent and glorious advantages, but a real regard for it, founded on good sense, and a just estimation of the value and importance of the blessings derived under it, in consequence of the share the people have in their own government. This it is that constitutes its chief excellence, since it makes it the object of the general interest of the people, and renders it peculiarly deserving of their veneration and watchfulness. It has engaged my attention and regard from the earliest period that I have been engaged in the politics of the country; and though the more I examined it, and the more I compared it with the constitution of other countries, the more I was led to admire it, and to feel its superiority over that of every country in Europe; yet, superior as it was, I was obliged, upon conviction, to declare, that it was not altogether exempt from those imperfections to which all human institutions are more or less liable. Absolute perfection, undoubtedly, is not to be expected; but it ought to be the endeavour of every man who professes or feels the least love and reverence for that Constitution, so peculiarly favourable to the liberties of all who live under it, to carry it as near to perfection as from its nature it is capable of being rendered. Impressed with this idea, and sincerely anxious for securing to the public that Constitution

to which we all stand so much indebted, I at a former period offered my thoughts on the necessity of adopting some proposition or other, by way of alteration and reform, with a view to keeping up the popular weight in the balance of the Constitution, and of adapting it to the circumstances of the times, and the peculiar situation of the moment. What I at that time felt, with regard to the necessity for some alteration, has been since strengthened and confirmed by each day's experience, at a period not unfruitful in political events. The subject has long engaged my mind; and the more I reflected upon it, the more I was convinced, an amendment on sober and deliberate grounds was necessary to all the parts of the Constitution; the balancing of which exactly is the circumstance which makes that glory and happiness Englishmen so much boast of, and foreigners so much admire, as the peculiar characteristic of the British Government. Formerly I have experienced the misfortune of failing in the different propositions I have at different times urged; a failure that might easily be accounted for on a variety of grounds: I rise, however, with different hopes of success this day. With regard to the House, it is entirely a new question; nor is it only a new question to the House, but totally and completely a new question. The vote of last year has not been decisive upon the question that has been proposed; but the question I shall have the honour to move this day has never been rejected by any House of Commons, nor stated in any public assembly. It is not on general topics that the present question ought to be decided, but upon its own particular merits; all I have to beg therefore, and I do most earnestly implore, is, that they will lay out of their minds all previous prejudices, and all opinions formerly entertained upon the general topics of Parliamentary Reform. On those general topics, barely and nakedly stated, there could be no diversity of opinion. That the Constitution of this country ought not to be lightly touched, or experimentally altered, merely upon speculation and visionary fancies, is an opinion that

that no man can contradict: as little is it to be denied, that if there are defects existing in the present state of the Constitution, and which might be amended without risk in the attempt, that they ought not to be deterred by imaginary and by loose and general alarms, founded on supposed designs of dangerous innovation and experiment. I am happy to say, that the outlines of the measure I shall propose give the fairest prospect of success. A House of Commons truly representing the People of England, is not a question of exact representation, or of the exact share which every individual has in the government of the country; but such a representation of the People in Parliament as shall closely connect the representative body with all their constituents, and preserve and secure the sympathy of the Constitution. In effecting this, I do not expect absolute and complete perfection; but it ought to be our endeavour to aim at obtaining the true end of the Constitution, and restoring its spirit more completely. It is our duty to look at that object seriously and earnestly. With this view, let us turn our eyes back to the original principles of the Constitution, and we shall see that its grand principle is, that the People shall have a share of the Government, by a just representation in Parliament. No man will disagree to those leading principles; nor will any man deny, that if the Constitution is to be framed anew, that the existing mode of representation is not the most likely mode of insuring the sympathy of the Constitution, or of preserving the interests of the People. Undoubtedly, as it stands at present, there are gross and palpable defects in the mode of representation, which call loudly for reform; but I am perfectly sure that such reform must be effected by some temperate and moderate alteration, gently administered. The great obstacles to an amendment in the mode of representation, and the objections most insisted on by those who are the professed enemies of reform, I take to be these: First, an alteration in the number of members of the House; secondly, any attempt to alter the mode of representation by disfranchisement

ment of boroughs as an act of power; and, thirdly, the general dread of innovation and experiment. And these three I consider as including all the principal objections to an alteration in the mode of representation; but the latter I take to be the strongest objection of all; the danger of innovating upon a fabric built with so much wisdom, and under which so many blessings have been experienced, having been laid most stress upon by the enemies of reform; who have contended, that the making one amendment will unsettle the foundation of the Constitution, open a door to more amendments, and that there will be no end to alterations in future. [A cry of Hear! Hear!] The measure which I shall propose has a tendency to extinguish these objections, to give the Constitution an uniformity, to render future alterations wholly unnecessary, and, as far as in the nature of things is possible, to make our free Constitution immortal. This, I trust, will appear, when I shall state to the House the detail of the plan I have in contemplation to propose. It is only necessary for me to declare, that I shall neither propose to alter the number of the members, nor to disfranchise by an act of power any one man in the country, nor to shake the foundation on which the Constitution stands; nor, in fine, to make any innovation whatever, but merely to recur to the original principles of the Constitution, and restore them. There is one leading principle in our Constitution that has existed from the earliest periods, viz. that no interest in the country is unrepresented. Upon referring to the history of Parliaments and the Constitution, it will be found, that when Parliaments first began, the representation consisted of a representation of the landed interests, and a representation of certain cities, towns, and boroughs, of the kingdom. The earliest period when Parliaments took any precise form, or became in any sort respectable, was in the reign of Edward the First, from which time to the reign of Charles the Second, there have been various additions and diminutions made. It is evident therefore, that
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what I shall propose, so far from its being unprecedented, is warranted by precedents in all periods of our history. It has been an original principle, to lodge a discretion in the executive authority to summon to Parliament. That discretion now no longer exists: perhaps it has not been always well exercised, but it is in principle to be exercised on public grounds and for public objects. It remains for us to inquire into two circumstances: First, if it has been exercised otherwise than discreetly; and secondly, if alterations that have taken place since the period in which it has been exercised by the Crown have made it inapplicable. Gentlemen have undoubtedly read, that of the boroughs which used formerly to send members to Parliament, *seventy-two* have been disfranchised; that is to say, that the Crown has ceased to summon them at general elections to return burgesses to the House of Commons. After the restoration, *thirty-six* of these boroughs petitioned Parliament to be restored to the exercise of their ancient franchise; their prayer was granted; and to this day they continue to enjoy it. But the other thirty-six not having presented any petition on the subject, have not recovered their lost franchise. Various alterations have been made at different times. At one time the boroughs were added, but the counties were nearly stationary. The last addition to them were the two Counties Palatine. In that manner they continued for a considerable time, till the principality of Wales was added. Then came the Revolution; and since that, the whole kingdom of Scotland was added by the Act of Union. So that the present alteration is no new measure. Nay, so long ago as the reign of Edward the First, one hundred or more boroughs were added. It is therefore just as fair to contend, that the present is not more the true Constitution of this country than that was which existed in the time of Edward the First, or at any other period subsequent to that reign. My wish on the present occasion is, to lay down a principle in one instance that shall not be left to caprice or uncertainty, but

shall be a constant, active principle, that shall maintain the Constitution the same at all periods; and I will boldly appeal to the House, whether those who argue for names and shadows, or for the substance and vital principles of the Constitution, argue most in favour of the Constitution? I beg the patience of the House to hear me state a principle limited and final, complete and adapted to all times; a principle that will serve as a barrier against any indefinite and arbitrary alteration of the Constitution. Adapting the state of representation to the circumstances of the country, I contend, is not contrary to the principles of the Constitution; my intention therefore is, so to model the representation of the People in future. The particular statute that disables the King from altering the existing mode of representation, I state to be the Act of Union, which fixes the respective number of representatives between the different parts of the country, and so they have remained ever since the statute passed, although the circumstances of the times are extremely varied. To give a full security to all the interest of the country, is the first principle of that part of the Constitution, and it is wisely adapted to the purpose; but there are nevertheless seeds of future abuse in the Constitution as it stands, without the possibility of a future remedy; but though this is undeniable, still the enemies of reform will not listen to any positions to apply a remedy. Let us not, say they, endeavour to improve nor to endanger the Constitution; neither let us try to make it better, for fear we should make it worse: generally viewed, it might be a wise consideration, but if deeper examined, it will be found to be far otherwise: if we can separate the defects of the Constitution from its perfections, so as to take away the former without injury to the latter, it is undoubtedly our duty to do it; for however wise our ancestors have been, they have still left much for the virtue of their descendants. Let us endeavour to give solidity, consistency, and uniformity to the Constitution. Its merit has not shone forth at once, but has been the result of gradual improvements.

provements. The sterling excellence of it has survived the corruption of the most corrupt times, and kept alive the true flame of liberty in the country. In consequence of the alterations that have been at different times made in the Constitution, these essential advantages have been obtained, viz. that Parliament shall be assembled as often as the exigencies of the country shall require, and that Parliament shall meet every year, to hear and redress the grievances of the People, before they vote supplies. To obtain these, there have been long struggles, and many difficulties. The good sense and the reason of the subject had been early apparent. Let us look to James I., a prince who mounted the throne with high ideas of prerogative, and who was not to be suspected of being too partial to the liberties of the subject. Yet even to that Prince did the danger of summoning a Parliament, at the discretion of the Crown, appear to be so unfit to continue, that measures were taken respecting it, though they were not afterwards carried fully into effect. Again, in the time of the Protectorate, Lord Clarendon, the great historian of those days, stated, that the number of Knights was proposed to be made greater, and number of burgesses smaller. In the reign of Charles the First, the principles of Freedom gave rise to the Opposition against that Monarch; the Opposition degenerated first into licentiousness, and next into tyranny; a natural consequence. I do not quote from those reigns as reigns affording any authority or precedent, but as an illustration of my principle of correcting the Constitution, and with a view to shew that the seeds of some of the most essential benefits and advantages this country enjoys, have been sown in the worst of times. The defects of our Constitution have existed from its infancy; I wish therefore to provide against a return of the mischiefs those defects have produced, and gradually to bring together all the perfection the case is capable of.

I shall now state the outline of my plan, which consists of two parts; the first, the most pressing and most immediate;

the second, without the introduction of any new principle, to rectify it hereafter. The House I mean to propose shall consist, as it does now, of 558 members, but to have a larger number of representatives for the more populous and opulent districts, as a general principle. The first feature of the bill is to provide for a transfer of about seventy, or seventy-two representatives from boroughs, which either have fallen to decay, or are likely to do so; and the criterion to decide by to be the number of houses, which will be extremely easy; this addition to be distributed among the different counties and the metropolis, as they may stand in need of them; the number to be limited by the nature of the thing, and not ascertained by any arbitrary line. If too many were added to counties, they would be liable to two objections, which are these: 1. It might be objected, that too many would be chosen for each; or 2. That if counties were subdivided, there would be too few electors to chuse the members. The thirty-six boroughs are to be disfranchised on their own voluntary application to be disfranchised, two ways, either as an act of power, or to make it their own act, by some compensation offered to them.

I shall now open the second head of the first part of my plan, by stating, that the only method of carrying this into execution is, by providing a fund for the purpose of giving to the owners and holders of such boroughs as shall apply to be disfranchised, a compensation for their property. Even considering the burdens that the People always labour under, I declare I shall not think it difficult to find a fund for this purpose, as the situation of the country is less gloomy than many men imagine. I mean not to have the boroughs estimated, but appreciated; for as it is well known the holders of them have found a way to convert them into a source of profit, as well as the other parts of their estate, I may venture, without any affectation of extraordinary delicacy, to speak out at once upon the subject. This being a fact, and the representations
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of the boroughs in question not being exercised as a trust, they certainly ought not to be suffered to remain in the hands of their present owners any longer. I state farther, that the compensation is to be taken without discontent or dissatisfaction, by acquiescence and consent, and not by force and compulsion. Such is the mode by which I hope to attain my object. I speak of the laws that tend to correct the criminal laws against bribery and corruption. The boroughs might be transferred, in fact, as any other estate, without bribery or immorality; declaring I am ready to throw a veil over the fact, if I could be free from the inconvenience. I speak of the different burgage tenures, on a less scale, possessed between an individual and a species of electors in shares; and there is a reasonable probability that there might be a compensation that it would behove the country to offer, which might be accepted; but the rule should be general, and the same condition given to one sort as another; all the inconsiderable boroughs to be put on a footing. The manner of carrying this plan into execution I state as follows: If a majority of electors should offer to relinquish, the natural question that would arise would be, who are the electors? Let that question be referred to the Committee sworn under Mr. Grenville's bill to try the question of right to a seat. I contend that there ought to be no discretion in the sum to be offered; but then it ought not to be exactly equal to each borough-holder, because there are different classes of borough-holders; some hold in perpetuity, others have only a life interest in a borough, and others again are in expectancy of a reversion. The number of boroughs that would be to purchase are thirty-six; I mean therefore to set apart the money for each, to let it accumulate at compound interest. Thus, if the sum set apart is not a sufficient compensation, it will become one by laying by, as it will increase till it becomes *irresistible*.

This is the first part of my plan, by which much is gained by the Constitution of the country. Another part I will

state, to shew the extent of the scheme, and to prove it to be as comprehensive and as complete as possible. When all that ought to be added to counties are added, the number must either be added to the number of the whole House, or transferred from those boroughs which are still small and inconsiderable, within a certain size, to cities and great towns, which from time to time shall best deserve them. As the sources of representation are, first, to give to counties which have not their share; secondly, to allot to the towns and cities which shall be considerable enough, and desirous of receiving more, or who from their population shall be best entitled to it; and this rule to remain to operate, *in perpetuo*, as boroughs fall into decay. This shews at once the extent of the system; and will, I flatter myself, remove the alarms that prevail upon the subject, by establishing a consistent and complete system, and a final one, as far as the principle goes. There is an end therefore to the objection, that this will lead to danger, and to perpetual alteration: on the contrary, it will lay that important question at rest; a point so desirable, that I hope it will induce the House to go the length, at least, of considering the bill I shall have the honour to bring in, in case I shall have the good fortune to be permitted to bring one in: and I trust the House will consider it with partiality, as a matter which the People of England have called for at different periods, sometimes more and sometimes less.

Having thus gone through the two parts of my plan, I shall proceed to answer the probable objections that will be made against my propositions; and first, I mention the expence it will load the public with. If the measure is a good one, and it is agreed to be an important one, the money, in my mind, that it would cost, would be well applied. It would give security to the Constitution, to the liberties of the country, the dearest rights of the People at large, and to their freedom, which is truly invaluable. Let us be œconomical, and we cannot be too much so, in some other instance, but in carrying the propositions

tions I have made into execution, we shall prevent prodigality; and were we to spend millions upon such an object, or had we done so at an earlier period of our history, and been thereby enabled to have prevented the calamities and disgraces that have befallen the country, what cause would there not have been for solid satisfaction and triumphant exultation? The progress of the plan will be gradual, as I do not intend it to take place instantly in its full extent, that it shall not affect the seat of any person chosen for the whole Parliament. If the plan should be adopted in this session, there will be no man but who ought to be satisfied; and in the interim till it takes effect, the People of England will have the happiness of being represented by the present House of Commons, chosen as this House has been by the free voice of the People. On chusing the next Parliament, if any borough were, after the Parliament had begun business, to petition to be disfranchised, the sitting member should vacate his seat. There is another point that I have accidentally omitted in the earlier part of my speech, and that is, my intention in counties to increase the number of the electors, as well as the number elected; but what I mean to do in this respect is extremely simple, and totally distinct from the idea of universal representation; I mean merely that another species of persons of property, besides freeholders, shall also have votes for the county; I allude to copyholders, who are in most respects in the same situation as freeholders themselves. Having stated this, I take a general view of the principle of the measure. I said it was practicable and beneficial; that it was a principle deeply rooted in this country; that the representation, as it stood at present, was inadequate, and that some amendments were necessary; that we had leisure, and a fair opportunity for a full discussion of so important a matter; but that if it should have come before, when in a moment of difficulty and distress, it would have been impossible to have done justice to it; that the imperfections in the state of the representation weakened the confidence the People had

in the representative body, and the love they ought at all times to be encouraged to entertain for the Constitution. It is to that confidence the country owes all her former strength, prosperity, and splendour. It is true that the country has prospered as the representation stands at present; but if we have prospered, we have also suffered; bitterly and grievously suffered; suffered for the want of this amendment, and by means of Parliaments having a boundless and unlimited confidence in a Minister, and continuing to entertain that confidence after the Minister has lost the confidence of the country. The representatives have a common interest with their constituents, the People of England; it becomes therefore the duty of every man in this House to cement the union, and strengthen the connection between the People and the popular branch of the Legislature. The alterations, I repeat it, would be better made in the moment of peace and reflection, than in a moment of turbulence and of public misfortune; I hope therefore that the House, by its conduct this day, will afford permanent and lasting satisfaction to the friends of the measure of reform. The fixed and steady principle of the proposition will lead the House no farther: if therefore there are dangerous and alarming plans of reform in the contemplation of any wild and visionary speculators, the best way to put an end to the dread of any danger likely to arise from such rash and ill-digested innovations, would be, to adopt the motion I am just about to offer to the consideration of the House; and I shall conclude with declaring, that I feel a degree of satisfaction, which no other measure could ever afford me in my life, if I should be the humble instrument of securing by this regulation, the dearest interests, and the future liberty and happiness of the People of England. I shall now move, "That leave be given to bring in a bill, to amend the representation of the People of England in Parliament."

Mr. Pitt, April. 18, 1785.

After

After the many occasions on which I have before expressed what my sentiments are on the subject of a reform in the representation of the People in Parliament, I shall not consider myself under any great necessity of troubling the House, but there have been extraordinary circumstances attending the introduction of the present question. That I have always been a friend to the principle of the bill, is a fact which does not require to be now repeated. Whether the means taken to effect that principle are such as are most unexceptionable, must remain for future discussion, but cannot provoke my opposition to the motion. There remains ample opportunities in the future stages of the bill, to examine and correct it; opportunities which in themselves will be the highest acquisition. In the review which has been taken of the question this night, there are means used to implicate the American war in the subject now under discussion, by suggesting that it was supported by the influence of burgage tenures, and that, if they had been withdrawn, that war would have had a more speedy termination. I acknowledge that it would have been in the power of the Parliament to bring that war to a period, had they considered it as an improper one; but the manner in which it must have been done, would be such as I should little expect to hear recommended from the gentlemen on the other side of the House. When the delay of a few days in passing the Supplies was represented last year as the most heinous proceeding, what would have been the enormity of stopping, not the Ordnance Supply, as *was* the case, but all the other Supplies also, as *would be* the case in the event which might here take place. This would be a conduct worthy of a Parliament in certain situations, and would shew them to be sensible of their due weight and importance in the scale of the Constitution, and not the instruments of a superior power, kept for no other purpose but to register edicts, and perform an annual routine. Much has been said of the merit of dissolving that cohesion which has been said to subsist in the parties in this House.

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That cohesion does subsist, is a truth in which I take too much pride, to think of denying, and from which this country derives too much advantage to be an enemy to: my connections were formed on liberal and systematic principles, and could not be dissolved by any regulations, while the same union in sentiment and principles continued to cement them. When an honourable gentleman said, that parties on one side of the House occasioned similar engagements on the other, he should have considered, that it equally applied to one as to the other: but there might be some circumstances which might induce that honourable gentleman to look forward with eagerness to the dissolution of such attachments, if they obliged him to support and defend measures in which his opinions did not correspond; if they forced him to act one way, and think another. Under such circumstances, it was perfectly natural that he should pant to be disengaged from such connections, and resign the load which seemed so much to oppress him. To that principle, which, by a diminution of the members for boroughs, tended to increase the proportion of representatives for counties, I am sincerely and cordially a friend. But while I am thus explicit on the subject of my approbation, it is but just to mention, that there is another point to which I totally disagree. With all respect, which I always pay to the House of Commons, and among the rest to the present House, I can perceive in it no superlative excellence, no just superiority which can justify the suspension of the operation of this bill. To defer for a period of years any system of reform, however partial and inadequate, is by no means complying with the declared wishes of the majority of the electors of this country, whose voice, though by no means to be acknowledged as that to which the House of Commons must conform, when they are directed by any sudden impulse, as the opinions of a moment, should always be obeyed on points which the experience and consideration of years have taught them finally to decide on. The People, notwithstanding all that has been said, have no peculiar

peculiar obligations to this Parliament for uncommon instances of that propriety of conduct which could warrant so implicit a reliance in it. No very flattering proofs of extraordinary attention to the rights of the People have been given by His Majesty's present Ministers, in their support of that excellent measure, the Westminster Scrutiny; and no very splendid testimony of their prudence in financial concerns, could be drawn from the Commutation Tax. This is a proceeding, the hardship of which they have already felt; and there are some others now in agitation, which are not likely to turn out much more favourable. These only are the reasons the People can have for a reliance in the present Parliament. I do not, however, mean to say any thing which can be construed into invective against them. I have before been accused of insulting them. I do not know that I did so; but if heat should have led me at any time to say any thing which could have that appearance, I am exceedingly sorry for it. There was nothing in any of these circumstances which could impress them on my memory; but I have observed, that nothing I have ever said in my warmest moments have ever drawn forth so much passion and ill temper on the other side of the House, as when I have attempted to praise them. The right honourable gentleman has, in this instance, receded from those opinions which on two former occasions he seemed to maintain; and the alteration which he has now made, for the purpose of a specific plan, is infinitely for the worse. It is in vain that he endeavours to qualify the objections which the idea of innovation raises in the minds of some, by diminishing the extent and influence of reformation. From the earliest periods of our Government, that principle of innovation, but which should more properly be called amendment, is neither more nor less than the practice of the Constitution. In every species of government, (for I will put absolute monarchy out of the question, as one which ought never to take place in any country), democracy and aristocracy are always in a state of gradual improvement, when

when experience comes to the aid of theory and speculation. In all these, the voice of the People, when deliberately and generally collected, is invariably sure to succeed. There are moments of periodical impulse and delusion, in which they should not be gratified; but when the views of a people have been formed and determined on the attainment of any object, they must ultimately succeed. On this subject the People of this country have petitioned from time to time, and their applications have been made to their Parliament. For every reason therefore they should be gratified, lest they may be inclined to sue for redress in another quarter, where their application will have every probability of success, from the experience of last year. Failing in their representatives, they may have recourse to the prerogative. It has been urged, that now, while this business is in agitation, the people of Birmingham and Manchester have not petitioned to be represented. This is an argument which at this time, of all others, can have but little weight; for while they are alarmed for their trade and their subsistence, it is no time for them to set about making improvements in that Constitution, in which they are not certain how long they may have any share. On the eve of emigration, they are to look for this in another country, to which their property and business are soon to be transferred. The different parts of this plan would certainly, in a Committee, be submitted to modification and amendment; but as it now stands, admitting only the first principle, every other part, and the means taken to attain the principle, are highly objectionable. I shall not hesitate to declare, that I will never agree to admit the purchasing from a *majority* of the electors the property of the whole. In this I see so much injustice, and so much repugnance to the true spirit of our Constitution, that I cannot entertain the idea one moment. On the other hand, when the property of a borough is in one man, there is no chance of his disposing of it on the terms this day mentioned; for when a particular sum is laid down for a certain purchase, and interest

suffered

suffered to accumulate on that sum, the man must be a fool who could be in haste to get the possession of it. There is something injurious in holding out pecuniary temptations to an Englishman to relinquish his franchise on the one hand, and a political principle which equally forbids it on another. I am uniformly of an opinion, which, though not a popular one, I am ready to aver, that the right of governing is not property, but a trust; and that whatever is given for constitutional purposes, should be resumed when those purposes shall no longer be carried into effect. There are instances of gentlemen offering to sacrifice the interest they may have in boroughs, to the public good. It is strange that none of them now come forward, when the occasion has presented itself. I am averse to the idea of confining parliamentary situations to men of large fortunes, or those who have distinguished themselves in public professions. Should this be the case, there is scarcely any man so little acquainted with the history of Parliament, as not to know that the House would lose half its force. It is not from men of large and easy fortunes that attention, vigilance, energy, and enterprize, are to be expected. Human nature is too fond of gratification not to be somewhat attentive to it, when the means are at hand; and the best and most meritorious public services have always been performed by persons in circumstances removed from opulence. The right honourable gentleman need not be ashamed to take some of those regulations formed in the time of the Protector Oliver Cromwell; for though a character too odious ever to be the object of praise or imitation, his institutions, confirmed afterwards by his successor Charles II., bear strong marks of genius and ability; for his political disposition was as good as that of his successor, and his genius infinitely more powerful. I shall conclude with earnestly entreating all sides of the House to concur in the question now before them. I am sorry the honourable gentleman who spoke last (Mr. Powys) did not, in all the warmth he professed on the occasion, take the most conciliatory mode

mode of acquiring strength to it. Instead of reproaching the noble Lord (North) for confining himself to old arguments and observations, he should rather tremble for the success with which these old observations has been applied by his noble friend, and the contrary fate which has before attended the novel and more variable stile of the Minister.

Mr. Fox, April 18, 1785.

Had I been in a situation to attract the Speaker's notice in an earlier stage of the debate, I should probably have in some degree expatiated on the very wide field which the right honourable gentleman has opened to the House: much of my work has now been done, and much that I should have urged has been anticipated; and much I shall pass over, from a sense how greatly the patience of the House has already been wearied, and how particularly I am indebted to their present attention. Tacitus, that learned and penetrating historian, could not presume the duration of a Commonwealth, consisting of mixed states; he knew that the momentum of the democracy, whether acting by the body of the People, or by a representation unqualified and adapted purely to popular ideas, must quickly bear down one or both of the other branches of government; and had it been moreover told him, that in this pure and direct representation of the numbers of the people were to originate the resources of war and peace, the *primum mobile* of public revenue, the doubts of Tacitus would not have been hypothetical: such a state he could not have pre-conceived to exist a moment. This is not a time of night to trace those errors back to their source; and in a history from the Courts de More, through the progression of parliamentary growth, to mark the grounds of mistake; I shall therefore join issue with the right honourable mover, on the actual and existing state of Parliament. The errors of the right honourable gentleman were derived from a similar source with the difficulties of Tacitus. The representation of the people is his favourite expression;

pression; but if he means a representation of poll or numbers, and so every point of his reform implies, we are not the representation of the People, but of the People's interests. The consistency of this House is qualified by the equipoise of the landed, the commercial, and the popular interest. This proportion of balance can be shifted, but with danger to the Constitution of the country; adding to one of these principles may in the end be subversive of the very existence of this House, which, loaded with a new and false bias, may be thereby directed to some gulph of ruin, now unforeseen. Much has been said of the cohesion of parties; much on the other side of individual independency, and of mouldering away every connection of men in this House. In the present state of public manners, it is not to be apprehended, that to buy or to retain would lapse into disusage, or that a Minister may not engage a consistency of support to his measures. The right honourable gentleman may anticipate, perhaps, the application of the famous sentence in Montesquieu,—but is there no other corruption but venality? I fear a worse, and of more fatal tendency, than the holding out merely places of public trust to men of ability and adventurers in policy, were these county members to be added. In one light, they must be men who come into this House on the great landed interest of a county; and in a county, perhaps, there is as much undue influence as at an election for any borough. When seated here, some future Minister may find it necessary to attach an authority to his support, become thus numerous and weighty; the Coronet is his only bribe, his only attraction to men of this description; and an attraction, as experience has proved, not often resisted. Thus, perhaps, in a short succession of Ministers, much more of the great landed interest would pass into the House of Lords, there ever accumulating, and rarely or never returning. The consequence is obvious; the great landed interest the people would ever look up to in their counties, and in the national councils; to them would their confidence be directed, to them their peti-

tions addressed; and, under all these circumstances, it is idle to say, that the revenue and money bills would not then originate there; whilst this House, fallen into disrepute, and even to derision, may sit idly disputing about unimportant matters, or matters they have scarcely weight to interfere in, and idly attended by forty members, instead of the very numerous assembly that dignifies the present question. On the call of additional county members, other, and dangerous circumstances, may arise, from causes widely different, and of different tendency. I allude to the adventurous candidates, who oppose the aristocracy of a county, and who, to secure an election, may feed the prejudices of the commonalty, may sign tests, and pledging themselves to every self-injurious prepossession, may find their way into this House under engagements, and with abilities too, backed by the popular clamour, to urge new claims, new reforms, fresh innovations. The right honourable gentleman has adduced, as favourable to his reform, that its principle is completed in his plan, and is thus final. The right honourable gentleman may answer for himself; but who can say, that a new man will not propose a new mode; and having cut down the prescriptive barrier of the constitution of this House, will he not leave a breach open for every forlorn hope, *qui crumenam perdidit*, to enter and ride at pleasure? and the more is this to be feared, as prejudices of the people may join too under the precedent, to aid those who by such ruinous means would seek to push *him* from his stool; for it cannot be said that the present plan comes up to the present declarations of the reformers. The Chancellor of the Exchequer has said, that leaving the Constitution in its present state, is tending to weaken the love of the people to their country; a more proper application may be made of those words; to *innovate*, is tending to weaken the love of the people to their country; it is tending to weaken that confidence in this House; in a word, that attachment to the old British Constitution, which arose from a prescriptive veneration, and which cannot belong

belong to a new system. Much of patriotism, and its most essential force, is founded on habitual regard, and local and long prepossessions; these are what give a force of character, even to those who live in, and are prejudiced to countries, whether under the physical disadvantages, as the Laplander, or under political, as France, when compared with our clime and constitution. I cannot consider the business to be brought forward as a ministerial measure: I have supported and shall continue to support the present Administration, from a just sense of the abilities, and a full confidence in the integrity of the Minister; an integrity, which, even in the speech which I reprobated, gives a more beautiful glow and colour to the very luminous display with which the right honourable gentleman has ornamented his subject: but if on such a question, so touching the dearest and most important interest of every Englishman, I could surrender my conviction even to the tendered influence of the right honourable gentleman's dearest partiality, or most honourable friendship, I should esteem myself not only unworthy to sit in this House, but even in the company of any honourable and good man whatever.

Mr. Young, April 18, 1785.

REMARKABLE SAYINGS.

IT was, my Lords, a wise and glorious saying of our great Queen Elizabeth, when the Spanish Ambassador asked her where her guards were,—*that great Princess pointed to the people in the streets*—"These (says she) are my guards; my people are my friends." She, my Lords, put her whole trust and confidence

dence in her people; she always continued to do so, and therefore the people always continued her friends, and supported her against as powerful enemies, both at home and abroad, as ever any King or Queen of England had before or since that time.

Earl of Abingdon, Feb. 24, 1732.

I remember, my Lords, a very good saying of a noble Lord, who once sat in this House; it was the late Lord Peterborough: When he was asked by a friend one day his opinion of a certain measure, says, my Lord, in some surprise, "This is the first time I ever heard of it." "Impossible, (says the other); why you are a Privy Counsellor." "So I am, (replies his Lordship), and there is a Cabinet Counsellor coming up to us just now; if you ask the same question of him, he will, perhaps, hold his peace, and then you will think he is in the secret; but if he opens once his mouth about it, you will find he knows as little about it as I do." My Lords, it is not being in Privy Council, or in Cabinet Council, one must be in the Minister's Council to know any secrets of the Government.

Duke of Argyll, Feb. 5, 1739.

I shall never be against making the strongest professions of duty and zeal to His Majesty; but let us do it with dignity: zeal may sometimes carry men too great a length. I remember a gentleman once said, in the other House, "he would sacrifice his life and fortune, and more, if it was necessary, to the service of his Sovereign." To assure His Majesty that we will stand by him with our lives and fortunes, in the prosecution of a just and necessary war, is as much as we can say, and that I am willing and ready to subscribe to.

Earl of Chesterfield, Nov. 18, 1740.

Let us recollect what Lewis the Fourteenth said towards the close of the war in Queen Anne's reign. When he was told that his people were grown idle, and starving for want of bread,

bread, he asked, "Are my magazines full? Are my troops sufficiently provided?" And being told they were, "Then," says he, "my regiments will be easily recruited; for the people will lift, because they can get bread no where else."

Sir Peter Warren, Feb. 19, 1750.

It was a noble sentiment of Fenelon, Archbishop of Cambray, that "*he loved his friends equal to himself; his country far better than his mind and himself; mankind in general beyond all put together.*"

Honourable Temple Luttrell, Feb. 13, 1775.

What Fenelon, the celebrated Archbishop of Cambray, makes Mentor say, on revealing a celestial form to the son of Ulysses, who had just attained to years of manhood, may afford an allegory to assist the British Legislature at some future period, in the safest and surest conduct towards her colonies. "I have guided you through rocks and quicksands, through the ensanguined battle, and the various calamities incident to the human species; I have taught you, through forcible experience, the good and the bad maxims by which Government may be carried on: 'tis now time that you be fully emancipated. Love your fellow creatures; endeavour to renew the golden age; avoid effeminacy, profuseness, and ostentation; let simplicity be your best ornaments; on your virtue and your own just actions rest your chief security; pure liberty, peace, delightful abundance, and un sullied glory, ever attend you."

Honourable Temple Luttrell, Feb. 13, 1775.

With regard to the high-sounding, unintelligible phrases of legislative supremacy and parliamentary omnipotence towards the Americans, for my part, it only conveys to my mind such an idea and equal satisfaction as the answer given by the fine gentleman in the play, who, being charged with baseness by

his friend, who told him, he had eat his meat, drank his wine, and lain with his wife, made no other reply, at end of every sentence, but, " Sir, I wear a sword."

Lord Camden, Feb. 7, 1775.

The conduct of the present Crown lawyers put me in mind of a remarkable saying of Lewis the Twelfth of France, that lawyers do with their law as the shoemakers do with their leather; they pinch it, twist it, beat it, and stretch it, till it suits whatever measure they aim at. This is, however, a measure none of the very ingenious gentlemen of the long robe can bring the most pliant leather of the law exactly to fit. Even Mr. Attorney General, who must, in justice, be allowed the very *Crissin* of his trade, has found it a job *ultra crepidam*.

Honourable Temple Luttrell, May 23, 1776.

I maintain, Sir, that every military commission to serve in the British army, whether in foreign or domestic employ, is from their country, though the nomination depends immediately on the Sovereign, as the executive hand of the State: and when a King of Great Britain bestows any commission whatever, and on whomsoever it may be, from a field marshal to an ensign, it is virtually with the same implied terms which were so nobly expressed by one of the most enterprising as well as one of the most humane and wisest of the Roman Emperors; "*Take this sword,*" said Trajan, when he presented it as the badge of office to *Saburanus*, whom he had appointed Prefect of the Pretorian guards: "Remember, it is your duty to use it for my defence while I govern *well*; if I govern *ill*, your duty to your country, *beyond your duty to me*, will oblige you, as a good citizen and an honest man, to use it for my destruction."

Honourable Temple Luttrell, May 23, 1776.

The Greeks and Romans had some wars of the kind that is now carrying on against America by this country. They never gave them the name of rebellions, nor acted against them as alien enemies. The latter, in one of a similar nature, called it *the sociat war*. I call this a constitutional war. I say this war is fraught with innumerable mischiefs. Instead of exacting obedience, it declares nothing but a wish for separation; it meditates open destruction, not coercion. It goes not to the punishment of rebels, and the protection of the innocent. It is made contrary to every rule observed in connections of this kind. Instead of being directed against individuals, who are the supposed authors of this rebellion, it is carried on as if against some foreign enemy; war is made on the community at large. In fine, the principle of this bill (the American Prohibitory Act) is to punish the innocent, as well as the guilty: but if the principles of the bill be bad, the provisions of it are still worse. To carry it into execution, what are you to do? The framers of this bill, in order to stifle and hide the fixed aversion of the people for the service, have provided that the plunder shall be shared among the captors, by way of encouragement. What is this but sacrificing the merchant to the seaman? Again, the glaring cruelty and injustice of such a procedure have induced the friends of the bill to admit some clauses, in order to soften the unexampled rigour of the hardships complained of. Thus the seaman in turn is sacrificed to the merchant. In such a state of uncertainty, what are we to conclude from this heterogeneous mixture of indulgence and severity, by which the merchant is neither sure of his property, nor the seaman of the produce of the capture, when all will be law, litigation, and confusion? It directly calls to my memory the remarkable saying relative to Sir Charles Wager, who, after taking a very valuable prize, and having her condemned, *when the balance came to be struck, he found himself a considerable loser.*

Earl of Shelburne, Dec. 20, 1775.

If you empower the Commissioners in America to propose peace on equitable terms, offer to restore their charters, and relinquish the unsustainable claim of taxation with a good grace; even now while your armies figure in the field, under hitherto triumphant Generals; and I make no doubt but by so laudable a step you will obtain from your colonies, through the Howes, as fair and magnanimous an answer as that which was sent from the Falerii to the Roman Senate by the great Camillus: "The Romans in having preferred justice to conquest, have taught us to be satisfied with submission instead of liberty."

Honourable Temple Luttrell, Oct. 31, 1776.

As a country gentleman, I must call on my brethren of that denomination to interpose and serve their country; their passive acquiescence to every new burden made Sir Robert Walpole say, "that the landed gentlemen were like the flocks upon their plains; they suffered themselves to be shorn without resistance, while the trading part of the nation resembled the hog, who would not let a bristle be plucked from his back without making the whole parish echo with his complaints." What with specious pretences and fair words to the one, and treasury *acorns* to the other, with which they were fed, the Minister has effectually silenced the *hog*, and imposed upon the honest simplicity and patience of the *sheep*.

Sir Charles Bunbury, Dec. 4, 1777.

I think, Sir, the Americans are fighting in a good cause for the defence of their just privileges, and chartered as well as innate rights. I am sure the proudest and most despotic Court in Europe, that of Vienna, would not have treated their subjects in the manner this Court has treated the Americans as rebels. When the present Empress Queen, then only Queen of Hungary, succeeded her father, the Emperor Charles the Sixth, in 1740, she secured the affections of her Hungarian subjects,

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by readily taking the old oath of the Sovereigns of that country, established in 1222, "If I, (says she), or any of my successors, at any time, should attempt to infringe your privileges, you and your posterity are permitted, by virtue of this promise, to defend yourselves, without being liable to be treated as rebels."

Mr. Wilkes, Dec. 10, 1777.

In considering the situation of the noble Lord, (Lord North) his security in office is certainly owing to the bad opinion the public entertain of *those* who wish to get into his place. The speech of Charles the Second to his brother James, Duke of York, is perfectly applicable to him. When the Duke of York told the King, "he wondered the Prince, who had rendered himself so unpopular, would venture abroad without his body guard." The King replied, "Have no fears for my safety, brother; I am perfectly secure in my person, as long as my people know, that if I die, or am cut off, you must be my successor."

Mr. Courtenay, Nov. 13, 1780.

S A T I R E.

I FIND that those gentlemen, who call themselves patriots, have laid this down as a fixed principle, that they must always oppose those measures which are resolved on by the King's Ministers, and consequently must always endeavour to shew that those measures are wrong; and this I take to be the only reason
why

why they have been as yet so silent as to a certain subject, in which the interest of their country is so very much concerned. Their language at present is, "Do not let us declare our opinion; let us wait till we know what part the Ministry takes, and then let us endeavour to shew, that they ought to have acted quite otherwise." They treat the Ministry in the same way as I am treated by some gentlemen of my acquaintance, with respect to my dress; if I am in plain clothes, then they say, I am a slovenly, dirty fellow; and if by chance I have a suit of clothes with some lace on them, they cry, What! shall such an awkward fellow wear fine clothes? So that no dress I can appear in can possibly please them. But to conclude, Sir, the case of the nation under the present Administration has been the same with what it always has been, and always must be; for to use a simile, as long as the wind was fair and proper for carrying us to our designed port, the word was *steady, steady*; but when the wind began to shift and change, the word come then necessarily to be *thus, thus, and no near*.

Mr. Horatio Walpole, Jan. 23, 1734.

I think it strange that this mighty secret of our fears about the Pretender has never been discovered during the whole course of this debate, till the honourable gentleman who spoke last but one disclosed it; I am glad, however, that it is at length discovered; for now gentlemen may have a very clear state of the case; which is, whether we ought to put the nation to the expence of maintaining 18,000 men, for no other reason, but because a certain gentleman is afraid of the Pretender? This is, I think, a clear and a true state of the case. As for the honourable gentleman's fears, they put me in mind of a mad fellow, called Butler, who used to go about, and at times would appear very much frightened at a certain phantom of his own brain, whom he called Prince Kantemir. This phantom haunted him about from place to place, and nothing could drive it out of his head. Really, Sir, I don't know what friends the
Pretender

Pretender may make in this kingdom, if we shall continue our army; but if we reduce that, I dare say his interest would exist no where but among a few madmen.

Sir William Wyndham, Feb. 3, 1738.

We have had a great deal of debate this night about the Constitution and Government of this and other nations; and there is no question, Sir, but there are many different ones in the world. But I believe the People of Great Britain are governed by a power that never was heard of as a supreme authority in any age or country before. This power, Sir, does not consist in the absolute will of the Prince, in the direction of Parliament, in the strength of an army, in the influence of the clergy; neither, Sir, is it a petticoat government; but, Sir, it is the government of the press. The stuff which our weekly newspapers are filled with is received with greater reverence than acts of Parliament; and the sentiments of one of these scribblers have more weight with the multitude than the opinion of the best politician in the kingdom.

Joseph Danvers, Esq. Feb. 3, 1738.

As an honourable gentleman at the lower end of the House threw out a proposal to send us all to school again for the reforming our manners, Sir, I think our care should be to prevent members of Parliament from being at school when they are here, from being under the lash of an insolent Minister, as, if we may credit history, has happened in some former Parliaments. Sir, I do not mean the Parliaments in Queen Elizabeth's reign, however servile they are represented to have been by an honourable member over the way. I am afraid the practice of Ministers naming members to boroughs at their own will and pleasure, which he told us was used by the Earl of Leicester, has not been dropped since that time; and I wish our posterity may never see days less advantageous to liberty. Elizabeth loved her People, desired their honour, regarded their

their interest; she heard their complaints against the greatest, the most favoured of her Ministers; and yet I will own, Sir, there were many wrong things done in her reign, because sufficient restraints were not then laid upon the power of the Crown; and therefore the example of her reign holds out a useful lesson to us, that even to the best of Princes we should not allow such a dangerous influence as may tempt them, by the advice of bad Ministers, to encroach on our freedom.

George Lyttelton, Esq. May 27, 1739.

As the only method, Sir, of reducing this nation must be that of invading its colonies and dismembering its provinces, by which the chief persons will be deprived of their revenues, and a general discontent be spread over the People, the forces which will be levied for this expedition, (an expedition on which the honour of our arms and the prosperity of our trade must so necessarily depend), ought to be selected with the greatest care, and disciplined with the exactest regularity.

On this occasion, therefore, it is surely improper to employ troops newly collected from shops and villages, and yet more irrational to trust them to the direction of boys called on this occasion from the frolicks of a school, or forced from the bosoms of their mother, and the softness of the nursery. It is not without compassion, compassion very far extended, that I consider the unhappy striplings doomed to a camp, from whom the sun has hitherto been screened, and the wind excluded; who have been taught by many tender lectures the unwholesomeness of the evening mist and the morning dews, who have been wrapt in furs in Summer, who have lived without any fatigue but that of dress, or any care but that of their complexion.

Who can forbear, Sir, some degree of sympathy, when he sees animals like these taking their last farewell of the maid that has fed them with sweetmeats, and defended them from insects; when he sees them dressed up in the habiliments of soldiers, loaded with a sword, and invested with a command, not to mount the
guard

guard at the Palace, not to display their lace at a review, not to protect ladies at the door of an assembly room, nor to shew their intrepidity at a country fair, but to enter into a kind of fellowship with the rugged sailor, to hear the tumult of a storm, to sustain the change of climates, and to be set on shore in an enemy's dominions!

Surely he that can see such spectacles without sorrow must have hardened his heart beyond the common degree of cruelty; and it may reasonably be expected, that he who can propose any method by which such hardships may be escaped, will be thought intitled to gratitude and praise.

Mr. Pulteney, Dec. 11, 1740.

Administration exult at having brought us into this dilemma. They have reason to triumph. Lord Chatham, the King of Prussia, nay, Alexander the Great, never gained more in one campaign than the noble Lord has lost—*he* (Lord North) *has lost a whole Continent*. Although he thought the Americans had gone too far, and were not justifiable in what they had done, yet they were more justifiable for resisting than they would have been, had they submitted to the tyrannical acts of a British Parliament.

Mr. Charles Fox, Dec. 26, 1775.

It was a custom among the antient Persians (in later times adopted in the kingdom of Naples) to cover their tribunals of justice with the skins of corrupt lawyers, whom they flayed alive. Were a similar example to prevail within these walls, and the seats around us to be clothed with the skins of corrupt Statesmen, I fear, Sir, (to the Speaker), there are not a few gentlemen on your right hand would catch their deaths of cold before the end of the approaching Winter: I should tremble this night for a long group of pensioners, contractors, paymasters, treasurers, &c. &c. who will walk forth into the lobby in order to bring up an address to their Sovereign, beseeching that he
will

will persevere to plunder and assassinate his subjects, and totally to extinguish the vital spirit of that free Constitution, on the maintenance of which alone rests his claim to the Throne of these realms.

Honourable Temple Luttrell, Oct. 31, 1776.

After the sword and bayonet of honourable warfare had been lifted up, after the scalping knife and tomahawk of our assassin allies had been sharpened against our fellow subjects, peace at last was preached by our Ministers, and a commission for restoring the harmony and union between the two countries was determined upon. To add weight and dignity to the measure, the two Houses of Parliament were to give up to this important service three of their own members as heralds of peace, that the sanction of a part of the legislative body might create an additional awe and reverence. To grace the commission, to captivate the rude members of Congress, and civilize the wild inhabitants of an unpolished country, a noble Peer (Earl of Carlisle) was very properly appointed Chief of the honourable embassy to the Congress. His Lordship, to the surprise and admiration of that part of the new world, carried with him a green ribband; the gentle manners, winning behaviour, and soft insinuating address of a modern man of quality, and a professed courtier. The Muses and Graces, with a group of little laughing Loves, were in his train; and, for the first time, crossed the Atlantic.

Mr. Wilkes, Nov. 26, 1778.

The person alluded to (Lord Holland) at the beginning of the late war, thought it a point of honour to resign his office, when he found he could no longer hold it for the benefit of his country; but the noble Lord in the blue ribband (Lord North) makes it his point of honour to keep in his office year after year, though his administration has been a series of misfortunes to his country; and in the very moment of additional calamities

ties he goes into the Cabinet and advises his Sovereign to bestow on him a most lucrative vacant place, the Wardship of the Cinque Ports. And why? Because in another year the Crown might have nothing left to give, if his Lordship continued to govern.

Mr. Fox, Nov. 27, 1778.

The noble Lord (Lord North) has frequently amused himself and his auditors with information at second hand, and confident predictions exactly resembling the present. How often has his Lordship held forth to this House, with all the oratory for which he is so justly distinguished, in describing the People of America as weak and divided, as hating their Governors, and only acting under the dominion of force and compulsion? How often has his Lordship painted their distresses in all that glow that is natural to a warm imagination? How often has he described them as covered with a blanket, held together round their naked carcases by a skewer only? What pictures of their famished bodies and meagre countenances, and that woe and misery which “bespeak a variety of wretchedness;” of their want of all kinds of provisions, even of salt; of being totally destitute of all kinds of military and naval stores; of guns, powder, ball, or bayonets; of all apparel or furniture for ships destined for trade or war. Pleased, but astonished, how often has this House caught with joy the glad and important tidings? But lo! how often, on the other hand, have we been awakened out of those deceitful and unwholesome slumbers, into which, I presume, the noble Lord undesignedly lulled us! What has been the consequence? We found that the People, instead of being divided, were united; we found that those naked rebels had clothes, victuals, powder, ball, ship furniture, &c. We found that they not only possessed them, but possessed them in great quantities. The London Gazette, that repository of truth, informed us, at least, that the noble Lord was misinformed; for, besides the returns
of

of the killed and wounded, some little proof, it was generally closed with a return of stores of all kinds, provisions, powder, ball, guns, mortars, &c. &c.

Right Honourable Thomas Townshend, Dec. 16, 1778.

I must, Sir, oppose the motion for returning our thanks to the late Speaker (Sir Fletcher Norton) for the speech made by him to His Majesty at the bar of the House of Lords, in which he told His Majesty, “Sir, take care how you spend your *own money, lay it out in such or such a manner.*” For my part, I know not where to look for an example, unless I refer to city politics. In the records of London it is to be found, that a Lord Mayor (Mr. Beckford) taking advantage of his official capacity, which brought him into the presence of his Sovereign, had dared, with all the insolent gravity of magistracy, to address his Sovereign with an extempore speech. The House well know how that speech was received in the city, and how the author of it has been thanked. A statue has been put up in Guildhall to his memory, with his figure standing in a position of oratory, and his speech in his hand.

This live-long speech e’en Balaam’s ass might own,
Fit for eternal record, cut in city stone.

Mr. Courtenay, Nov. 18, 1780.

I beg leave to apologize to the right honourable gentleman (Mr. Rigby) for not answering some things that have fallen from him, in the same ludicrous strain in which he chafes to view every thing, except what relates immediately to his *own* interest. In my opinion, Sir, there are some things too serious for ridicule, and the question now before us, to return the thanks of the House to Earl Cornwallis, if ever any question did, merits a most serious and grave discussion. I cannot but acknowledge the honourable gentleman has a fund of *drollery* and

and humour, but I like his *ingenuity*, his *humour*, and his *counsels*, better than his *political* arguments.

Mr. Sheridan, Nov. 27, 1780.

I mean no reflection on the delegates, whom I esteem and respect; they, I am convinced, will scorn the assistance, and disdain to court popularity among this reprobate part of society. The Committees (their constituents) are instituted for more laudable purposes; they may be considered as self-erected political hand-posts planted over the country to point out to the people the path they are to pursue,

“ Along the cool sequestered vale of life,
To keep the noiseless tenor of their way.”

In other respects too, they do great and essential service to their country; they intercept the noxious streams which flow from their body politic in a very sensible perspiration, and condense the vapour which descend on the table of the House, in a harmless shower of petitions, remonstrances, and projects, for reformation. From such political manufacturers we may rationally expect a new and splendid edition of Magna Charta, stamped on *pro patria* paper, and worked up from the rags of the community. They select the latent sparks of virtue and patriotism from a part of the commonalty, where none is expected to be found, as an *electric machine* extracts fire from a dunghill.

I entertain the highest opinion of the conduct, views, and principles of the delegates; no man laments more than I their banishment from Guildhall; but I console myself by reflecting, that it is an honourable species of *ostracism*, by which the Common Council of London proudly and ambitiously affect to imitate the conduct of the celebrated citizens of Athens: their character too I hold in the highest veneration.

Their wise Divan, their best companions grace,
 Chiefs out of war, and members out of place;
 Who fondly mingle in their hope-fill'd bowl,
 The feast of reason, and the flow of soul;
 Ev'n he, whose light'ning pierc'd rebellion's lines,
 For reformation, forms their great designs.

To them we are indebted for many excellent projects to restore and renovate the Constitution; annual Parliaments amongst the rest; for as all power originates from the People, by shortening the existence of Parliament, (for their political sins), they will be rendered more humble and dependent on their Creators, and become a shining, but transient, emanation from them; be directed by every popular blast, and turn like a smoke-jack by the breath of the People.

Mr. Courtenay, May 8, 1781.

The noble Lord in the blue ribband (Lord North) has this day given the most explicit evidence of his activity and negligence, of his capacity and incapacity. He has shewn that, as first Lord of the Treasury and Chancellor of the Exchequer, he has been negligent, or incapable of his duty; and at the same time he has shewn by his speech of this day, that he has both the industry and the talents to comprehend what his duty is. He has been negligent, or incapable in the execution. He is active and able in the conception of his trust. The whole of the copious detail which he has given is clear, methodical, and accurate! So perfectly clear, that a pin may be seen at the bottom of it! He has shewn manifest knowledge of the regulations that are necessary, which must have required industry and exertion to acquire; and he has proved, at the same time, that knowing the irregularities of his office, he has failed to reform them. With respect to the Commission of Accounts, it is throughout, in the very language of the noble Lord, perfectly insignificant in one part, totally impracticable in another; the reform will not be advantageous in a third; not worth the experience

perience in a fourth; perfectly useless in a fifth, and productive of inconvenience in a sixth. The noble Lord has the word trifling in his mouth in every sentence. It is, in the words of the Poet,

A trifling song you shall hear,
 Begun with a trifle and ended;
 All trifling people draw near,
 And I shall be nobly attended.

Mr. Burke, May 10, 1781.

Whenever the vice of gaming is to be suppressed, I trust that most pernicious species of it, the adventuring in lotteries, will be the first object of attention: this, it is true, is patronised by the Legislature, and yet nothing can be more detrimental to the morals of the People; for it not only promotes the spirit of gambling amongst the lower orders of society, but, by suspending the industrious pursuits, tends to introduce every kind of depravity. While the evil was permitted to reign in its late extent, it was in a fair way of curing itself; for *every second tradesman* being a lottery-office keeper, and very few possessing any capital, the smallest loss made them abscond, and the public credulity was thereby gradually diminished: but now the practice has been regulated, by the wisdom of Parliament, for the better security of adventurers, it will no doubt perpetually increase, with all its train of mischievous consequences; for Government has entered into a sort of partnership with the office keepers; and as they are to derive a benefit from the success of the delusions, they will, no doubt, do every thing in their power to extend their designs.

Mr. Sheridan, May 15, 1781.

There is one objection which seems not to have been taken notice of, which is, that when sailors, suspected to be deserters, are brought before a justice of peace, though the suspicion turns

out to be groundless, they may, nevertheless, by authority of former statutes, be impressed. I cannot therefore but compliment the Board of Admiralty on the sense they seem to entertain of the honour of British sailors; it may be illustrated by a very trite anecdote of Julius Cesar; for, like his wife, the character of our seamen must be as clear of suspicion as just impeachment; they must not only not be deserters, *but not suspected to be so.*

Mr. Sheridan, May 17, 1781.

Supposing any remonstrance with the noble Lord (Lord North) against the American war, what will the noble Lord say? “Why you know that this war is a matter of necessity, and not of choice; you see the difficulties to which I am driven, and to which I have reduced my country; and you know also, that in my own private character I am a lover of peace. For what reason then do I persist in spite of conviction? For *your* benefit alone! For you I have violated the most sacred engagements! For you neglected the suggestions of conscience and reason! For you forfeited a thousand times my honour and veracity in this business, and for you I must still persist! Without the American war I shall have no places, no emoluments to bestow, not a single loan to negotiate, nor shall I be able to retain the poor situation of mine that I have so long held disinterestedly. You see me now in the most elevated situation, with the disposal of places and pensions, and with the whole power of the nation in my hands; but make peace with America to-day, and to-morrow I shall be reduced to the level of private life, retaining nothing but what is merely personal of all my present advantages.”

“If you do not vote with me (says the noble Lord) against a peace with America, how am I to give you any thing? It is true that my situation as Minister is a respectable and elevated situation; but it is the American war that enables me to give *douceurs*, and to put into your pockets eight or nine

hundred thousand pounds by a loan. Put an end to that, and you undo all. My power will be miserably lessened, and your pay as miserably reduced. As to myself, why I am perfectly indifferent about that; I get a little, and it is my happiness that a little, thank Heaven, contents me. I cannot therefore be supposed to care if a peace takes place with America to-morrow, as far as I am personally concerned; *but for your own sakes do not let such a thing come to pass.* Nay, were I to go out of office, a situation I never coveted, always disliked, and heartily wished to be rid of, still I hope the American war will be continued." Such pathetic reasoning cannot fail having its effect; and thus it is the noble Lord induces the members of this House to sacrifice the interest of their constituents, by proving that their own interest is essentially connected with the American war. Was it possible, therefore, that a peace could be obtained with America? "Oh spare my beautiful system! (the noble Lord would cry). What, shall I part with that! with that which has been the glory of the present reign, which has extended the dominions, raised the reputation, and replenished the finances of my country. No, for God's sake, let this be adhered to, and do with all the rest what you please; deprive me if you please of this poor situation: take all my power, all my honour and consequence, but spare my beautiful system, oh spare my system!"

Mr. Fox, May 30, 1781.

The present ruinous system of affairs is not defended by any one man of real independent property; there is no man in this House, unless he has a place, a contract, or some such motive to speak, that attempts to defend them; therefore it is highly indecent for men to echo their own praise, and to be the only persons that can justify their conduct; they are all exactly in the same tone, and play into each other's hands extremely clever: if a motion censures the American Secretary, he is defended by the Secretary at War; if the Secretary at

War is censured, the American Secretary thinks it his duty to defend him; and if the noble Lord (Lord North) in the blue ribband is accused, then both the others cry out, "Would you remove a man who is at the head of affairs at this critical period?" I would answer yes; now is the time, for the voice of the People is against him, and without their having faith in him, all his ends must be frustrated. Ministers always make use of the excuse, "That you blame our measures after the event has happened, because they miscarried." If Ministers mean to exculpate themselves, let them come forth, shew the House what their plans were, how they had formed them, and what they intended; then it would be in the power of the House to judge whether they deserve blame or not; but certainly it is very natural to censure men from the event of their actions, for by what other criterion can you judge them? When first I heard the new American Secretary (Mr. Welbore Ellis) proclaim his profession of faith, I was inclined to think there was some likelihood of his salvation; but as he still persists in his errors, all that hope of extreme unction is wiped away, and he is now as far from being saved as any of his colleagues. The right honourable gentleman (Mr. Ellis) has got out of a good warm bed, (the Treasurership of the Navy), and ventured, with his eyes scarce open, into a vessel tossed in a tempest, and riding on the billows in a violent storm. I must think him exceedingly wise in having done so, and that it might be said to him, what the wife of Brutus said to her husband -

Is it not for your health thus, my Lord, to commit
Your weak condition to the raw cold morning.

Mr. Burke, March 8, 1782.

Though many persons wish to drop the subject of the Coalition, as trite and unfit to be longer talked of, I am of a different opinion, and wish to see a *starling* perched on the right elbow

elbow of the Speaker's chair, who, whenever a pernicious measure like that under consideration is brought forward, should repeat incessantly to the Treasury Bench, "disgraceful, shameless coalition." I should not have been hurt to the degree I now feel myself, if the right honourable Secretary had deserted alone, and had not seduced numbers of men, who stood high in public estimation, with whom I have formerly thought it a very high honour to associate, but who now, however elevated their station, compared to my humble lot, I shall endeavour to keep myself free from, for the infection has spread far and wide, and has taken effect upon many gentlemen, whose constitutional principles I thought free from danger.

Mr. Martin, Dec. 1, 1783.

It is impossible to be too greatly alarmed at the vast effect the influence of his East-India Bill will have on the right honourable Secretary, (Mr. Fox), to whom I at present am ready to subscribe as a man of unmoved integrity: but I cannot help citing here the following lines from Shakespeare's Julius Cæsar:

—————He would be crown'd—————
 How that might change his nature, there's the question.
 It is the bright day that brings forth the adder;
 And that craves wary walking; crown him—that—
 And then I grant we put a sting in him,
 That at his will he may do danger with.
 Th' abuse of greatness is, when it disjoins
 Remorse from Power: and, to speak truth of Cæsar,
 I have not known when his affections sway'd
 More than his reason. But 'tis a common proof,
 That lowliness is young ambition's ladder,
 Whereto the climber upwards turns his face;
 But when he once attains the upmost round,
 He then unto the ladder turns his back!
 Looks in the clouds, scorning the base degrees

By which he did ascend: so Cesar may:

Then lest he may, prevent————

Mr. Arden, Dec. 1, 1783.

We have this day been honoured with the counsels of a complete gradation of lawyers. We have received the opinion of a *Judge*, (Kenyon); of an Attorney General in *petto*, (Bearcroft); of an ex-Attorney General, (Lee); and of a practising barrister, (Taylor). I agree with the learned gentleman (Mr. Bearcroft) in his admiration of the abilities of my honourable friend (Mr. Fox). What he has said of his quickness and of his profoundness, of his boldness and his candour, is literally just and true, which the mental accomplishment of my honourable friend is, on every occasion, calculated to extort even from his adversaries. The learned gentleman has, however, in this insidious eulogium, connected such qualities of mind with those he has praised and venerated, as to convert his encomium into reproach, and his tributes of praise into censure and invective. The boldness he has described is only craft, and his candour hypocrisy. Upon what grounds does the learned gentleman connect those assemblages of great qualities and of cardinal defects? Upon what principles either of justice or of equity does he exult with one hand, whilst he insidiously reprobates and destroys with the other? If the *wolf* is to be feared, the learned gentleman may rest assured, it will be the wolf in sheep's cloathing, the masked pretender to patriotism. It is not from the fang of the lion, but from the tooth of the *serpent*, that reptile that insidiously steals upon the vitals of the Constitution, and gnaws it to the heart ere the mischief is suspected, that destruction is to be feared. With regard to the acquisition of a learned gentleman, (Mr. Taylor), who has declared that he means to vote with us this day, I am sorry to acknowledge, that, from the declaration the learned gentleman has made at the beginning of

of his speech, I see no great reason to boast of such an auxiliary. The learned gentleman, who has with peculiar modesty stiled himself a *chicken* lawyer, has declared, that thinking us in the right with respect to the subject of this day's discussion, he shall vote with us; but he has at the same time thought it necessary to assert, that he has never before voted differently from the Minister and his friends, and perhaps he never shall again vote with those whom he means to support this day. It is rather singular to vote with us professedly, because he finds us to be in the right, and in the very moment that he assigns so good a reason for changing his side, to declare, that in all probability he never shall vote with us again. I am sorry to find the *chicken* is a bird of ill omen, and that its augury is so unpropitious to our future interests. Perhaps it would have been as well under these circumstances, that the *chicken* had not left the *barn door* of the Treasury, but continued side by side with the *old cock* (Mr. K——n) to pick those crumbs of comfort which would, doubtless, be dealt out in time, with a liberality proportioned to the fidelity of the feathered tribe.

Mr. Sheridan, Feb. 9, 1785.

The right honourable gentleman (Mr. Fox) allows no opportunity to slip, in which he can be at all of service to his favourite object of pursuit. I think, however, that for some time past he has been engaged in pursuits which were unworthy of the ambition and dignity of so noble a mind as he possesses. He has taken a kind of whim and craze respecting this said Westminster Election, and whenever any cause occurs in which it is in any respect concerned, there he is sure to be. He is sometimes to be seen on a scaffold in a Court of Request, and sometimes on a coach-box in Palace Yard. I myself was lately engaged in a cause, in which there was, somehow or other, reference to the Westminster Election, and, to my great astonishment, I there found the right honourable gentleman.

gentleman. I happened to say, during the course of my pleadings, that I wished to put all thoughts of the Westminster Scrutiny out of the question, as it would overwhelm all ideas of law and justice. The trial was on Saturday last, and I went that morning, Monday, to the coffee house in full expectation of seeing my name and speech in the newspapers, but, to my mortification, I found neither. The right honourable gentleman, however, was not disposed to treat me with so much gentleness: he had taken a note of my expression with a pencil when uttered, and has this day brought it up in the debate. To all his other *great* characters, by so doing, he has thereby added that of a *word-catcher*!

Mr. Bearcroft, Feb. 9, 1785.

Before I sit down, I cannot but take notice of the honourable gentleman's (Mr. Powys) address to me about the word *trumpery*. I do assure the honourable gentleman I did not apply that phrase to him. I talked of Generals, and Serjeants, and Corporals, and I know not what; but I am astonished the honourable gentleman should have taken the *phrase* to himself, or have thought that I could have regarded him in any *subordinate rank*, or as any thing less than a General! I admit him to be such! I have seen him head armies of observation, and even as an Admiral of a fleet sailing under a neutral flag. In all the different *manœuvres* of political tactics, I know him to be perfectly skilful. And what still more astonishes me is, that the honourable gentleman should think I meant him, when I was talking of *perfect consistency* at the moment that I let drop the silly expression.

Mr. Dundas, Feb. 23, 1785.

S I M I L E.

S I M I L E.

THE honourable gentleman who spoke last but one talked of prophecies, and asked, what those prophets had prophesied. Had they, said he, prophesied this? or had they prophesied that? What prophets or prophecies he means I do not know; but I may say, that without any great spirit of prophecy, the moment you separated the courts of Vienna and Spain, every thing that has since happened might have been easily foretold. The gentleman likewise talked of pamphlets. I have likewise lately seen a pamphlet, just published; and whether from the stile it is wrote in, or the perplexity in the way of thinking, which is discovered in every part of it, I think I can be almost certain as to the author of it. The whole of this fine performance results in this, that the nation is in a very bad situation; something must be done; but what is to be done, the author does not know: if we do one thing, we are still in the same situation we were before, perhaps worse; if we do another thing, our case will still be the same. In short, he at last leaves us in the same wretched situation he found us; upon which, I must suppose this case: suppose a physician to have a patient for some time under his hands; the patient lingers and decays, and at last finds himself in so low and weak a condition, that he begins to despair; the physician is sent for; the patient complains, and asks what is to be done; the doctor answers gravely—Sir, you are, indeed, in a very bad state; there are but two or three different ways of treating your distemper, and I am afraid that neither of them will do; a vomit may throw you into convulsions, and kill you at once; a purging may give you a diarrhoea, which would certainly carry you off in a short time; and to bleed you, Sir—I have already
bled

bled you so much, and so often, that you can bear it no longer. In such a situation, would not the patient probably exclaim against his doctor, and say, Sir, you have always pretended to be a regular physician, but I have found you an ar-rant quack ; I had an excellent constitution when I first came into your hands, but you have quite destroyed it ; and now I find I have no other choice for saving my life, but by calling for the help of some regular physician.

Mr. W. Pulteney, Jan. 25, 1734.

The reasoning of the honourable gentleman who spoke last (Mr. Pelham) is not unlike that of a physician who was called to visit an acquaintance of mine. Two or three other members of the faculty were called at the same time, and all of them, except this physician, agreed in their consultations, that the nature of the patient's disease required lenitives. The reason which the singular doctor gave for differing from his brethren was, " that corrosives were only to be cured by corrosives." Sir, we have long had corrosives applied, to correct the sharp humours of a people whose constitution has been vitiated by a course of severe exactions and taxes, without any apparent advantage to the kingdom ; and it was reasonable to expect, Sir, that by this time some lenitives should have been applied : but this, Sir, it seems, is not agreeable to the maxims of the honourable gentleman, who last session entertained us with the ever-memorable speech which concluded by telling us from a Roman poet, *Immedicabile vulnus ense recidendum*. I am afraid that this, Sir, may, indeed, be the only remedy that can be applied, if we should proceed in exasperating the people, by not only continuing but increasing the principal grievance they have.

Walter Plumer, Esq. Feb. 3, 1738.

I shall not pretend, Sir, to be a competent judge of our conduct for several years past. I shall not pretend to say positively,

tively, what we have done, or what we might have done ; but, in my opinion, we have had several opportunities for inducing, if not compelling the Spaniards, and likewise some other of our neighbours, to give us full satisfaction for injuries past, which would have been the best security against any such for the future ; nay, I am of opinion we might have prevented most of the indignities put upon us, without involving the nation in a war. If my information be right, our neighbours, the Dutch, have fallen upon a way of preventing such indignities, without involving themselves in a war. I shall not affirm it for a truth, but we have been told, that they have lately taken a method with the Spanish guarda costas, which will make them a little more cautious, at least, with respect to them, in time to come : they have fitted out ships proper for the purpose ; and when they have found guarda costas not properly commissioned, or such as had seized or plundered any of their ships, contrary to the law of nations, and to the instructions they had from those who gave them their commissions, they have treated them as pirates, and have hung them up at the yard's arm as soon as taken. This is what has been commonly reported ; and it calls to my mind a story I have heard of a gentleman who received a box on the ear from a famous bully at a coffee house. The gentleman, it seems, had not so much courage as a gentleman ought to have, and therefore took it patiently ; he thought only of obtaining satisfaction in a peaceable manner ; but soon after he heard, that the same bully, for such another piece of behaviour, had been caned and kicked out of the coffee house by another gentleman. Gods so ! says the poltroon, if I had known that fellow would have been treated in such a manner, I should not have taken the blow he gave me so patiently.

Sir John Barnard, Feb. 3, 1738.

For my part, Sir, I am surprised that such an open and avowed insult upon the flag of the Crown of Great Britain
was

was not pursued with immediate vengeance; and I am surprised we had the patience to send to the Court of Spain to demand satisfaction and reparation; and yet, Sir, I don't find that we have hitherto received any satisfaction for the affront, nor any reparation for the damages done; nay, the Spanish Court seems to mind it so little, that they have not so much as once mentioned it in their last memorial. This affair, I must say, Sir, puts me in mind of the story of a gentleman, who, upon receiving a box on the ear, asked him that gave it, if he was in jest or in earnest; and upon the other's answering, he was in great earnest, the honest gentleman replied only, I am glad you are, Sir, for I do not like such a jest. Whether we had our joke upon this occasion, I do not know; but I hope the nation will not content itself with returning a joke for such a serious blow.

Mr. Pulteney, March 30, 1738.

I must think, that those gentlemen who are for securing the people's loyalty by a numerous mercenary army, are exactly in the case of a jealous husband, who, to secure his wife's chastity, locks her up. She will certainly, some time or other, get an opportunity; and the first she gets, she will certainly make the proper use of; such a use as such a husband deserves. Sir, the *English padlock* is certainly the best. Clap the padlock upon the minds of the people; this can no ways be done but by trusting to themselves the defence of their king and country.

Mr. Carew, April 25, 1742.

The fear of an invasion, or an insurrection in favour of the Pretender, is such a threadbare argument, that I am surprised to hear it again seriously made use of in this House. What the honourable gentleman said of the redress of grievances, may much more justly be applied to the fear of the Pretender; for this argument is never made use of lately, but you may
see

see a general smile spread itself over the whole House: nay, in the countenance of every gentleman who makes use of it, you may see such a contrast, as is generally observed in the countenance of *a young widow upon the loss of an old husband*;—she affects a sorrow, but, in spite of all she can do, *her inward joy breaks forth in the disposition of some of her features.*

Mr. Carew, April 25, 1742.

The Opposition, they raise a hue and cry about something, but they know not what, in order to make the world stare and gape, and look amazed and confounded. Their conduct puts me in mind of an old Greek story, which I read when I was a boy at school. It is a well-known story; you have all read it. It is the story of Ulysses. This good old Grecian, wise as he was, happened to be shipwrecked on an island inhabited by a race of giants. It was his misfortune to take shelter in the cave of Polyphemus, the most formidable of the whole tribe. This Polyphemus used, after the manner of the giants, I suppose, to stay his stomach with some of these wretched Greeks, whom he had caught on his premises. Out of revenge, as well as for his own security, Ulysses watches his opportunity, and with a firebrand put out the eye of the Cyclops as he lay asleep, in the same manner, as our giants alledge, that Lord Mansfield has put out the eye of the law. The pain, as you may easily perceive, waked the giant. It did; and after groping his way out of the cave in the dark, for neither he, nor any of his nation, had more than one eye, which, by the bye, was in the middle of their forehead, he raised a terrible outcry, you may be sure. I question much, whether it was not more frightful than the Indian war-whoop, or the Irish howl.—Well, be that as it will, his dolorous lamentations brought together a large posse of his one-eyed brethren, and they found him, I dare say, in as bad a pickle as our patriotic Cyclopes have found the constitution: but still it remained for Polyphemus, who had raised all this noise and hubbub, to resolve
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the grand question, *Who did it?* The Greeks having stole away in the bustle, he could produce nobody; and all the answer that his brothers could get was, that *nobody did it*. Thus are we alarmed with terrible encroachments on our liberty and property; but when we demand the authors, they are not to be found. *There are sad doings, but nobody did them.*

Lord Clare, Dec. 6, 1770.

The passion of gain is as strong as the passion of love. I will suppose that two intimate friends have lived long together; that one of them has married a beautiful woman; that the friend still continues to live in the house; and that this beautiful woman, forgetting her duty to her husband, attempts to seduce the friend; who, though in the vigour of his youth, may, from a high principle of honour, at first resist the temptation, and even rebuke the lady: but if he still continues to live under the same roof, and she still continues to throw out her allurements, he must be seduced at last, or fly. Now the *Banyan* of Bengal is the fair lady to the Company's servant. He lays his bag of silver before him to-day; his gold to-morrow; jewels the next day; and if these fail, he then tempts him in the way of his profession, which is trade. He assures him that goods may be had cheap, and sold to great advantage up the country. In this manner is the attack carried on; and the Company's servant has no resource, for he cannot fly. In short, flesh and blood cannot bear it.

Lord Clive, March 30, 1772.

The learned Counsel has so ably gone through the Company's right of appointing Supervisors, and so ably stated to the House, the urgent necessity of such an appointment, that I will not follow them through one inch of ground they have gone over; persuaded as I am, that they have left conviction on the mind of every gentleman who retains the least particle of parliamentary independence, and the least regard to national faith.

faith. Sir, you have heard at your bar what your Committees have done. One has been so slow in their motions, that the Company have given up long since all hopes of redress from them; and the other has gone on altogether as rapid, that they do not know where to stop. Like the *fly* of a *jack*, the latter has gone hey go mad! the other, like the ponderous lead at the other end; and in that manner, Sir, have *roasted* the *India* Company. Shame upon such proceedings!

Mr. Burke, Dec. 18, 1772.

The conduct of the Minister, in withholding every proper information from the House, puts me in mind of a King, who perceiving one end of a Lutheran church exceedingly ruinous, and all the rest of it very good and elegant, proposed to rebuild that part for them, which he did in a very magnificent manner; but when they came to assemble there, they found that he had taken away all their light: upon which they waited on His Majesty, thanking him for his favours, and also acquainting him with their misfortune, in not being able to see at church. Upon which His Majesty replied, it was perfectly right so, for that it was written in the Scriptures, "Blessed are they that believe, and do not see."

Col. Barré, Nov. 1, 1775.

But allow that the professions of the Americans were general; that their inclinations were those of duty and respect towards this country; that they entered into the present rebellion through the intrigues and arts of a few factious and ambitious men, or those who ultimately directed them; that the stamp act was wrong; that the declaratory law might assert the supremacy over that country, but it ought never to be exercised, nor amount to more than such a power as his present Majesty claims over the kingdom of France, a mere nominal dominion; that no troops should be sent into that country, even to defend them, without their own permission; that the

Admiralty Courts should never be made to extend there, though by the trial of jury, the parties themselves would be judges; that offenders against the laws and authority of this country should be tried for offences by persons who themselves were ready to declare that they did not think the charges criminal; that no restraints should be laid upon their commerce, though that great bulwark of the riches and commerce of this country, the Navigation Act, depended on such restraints; that every measure hitherto taken to compel submission to the Parliamentary authority of this country was cruel and unjust; that every Ministry in this country were tyrannic and oppressive, and that the last is worst of all. Yet admitting all this to be true, my Lords, what are we to do? Are we to rest inactive, with our arms across, till they shall think proper to begin the attack, and gain strength to do it with effect? We are now in such a situation, that we must either fight or be pursued. What a Swedish General said to his men, in the reign of Gustavus Adolphus, just at the eve of a battle, is extremely applicable to us at present. Pointing to the enemy, who were marching down to engage them, says he, "My lads, you see those men yonder, if you do not kill them, they will kill you."

Lord Mansfield, Dec. 20, 1775.

This is the first time I have ever heard it asserted in the same debate, that neither peace nor war is a proper time for reformation. Some gentlemen have said, war was not the proper time for innovation or reformation; and other gentlemen have made a similar objection to a season of a peace. I must beg leave to retort a simile in support of my sentiments, on this species of ministerial logic. A person who had a fire engine to dispose of, offered it to his neighbour for sale, in order, as he said, to preserve his house from fire. The neighbour replied, "No, I do not want it; my house is not on fire." Anon his house is on fire; he applies to the owner of
the

the engine, and tells him how much he is in want of it, but is answered, "that it has been long since disposed of."

Sir George Savile, March 11, 1777.

We are ~~are~~ again brought back to that favourite passage of the Rubicon, and the *facta est alea*; of a truth, there is some justice in the comparison, between our Ministers crossing the Atlantic, and Cesar crossing the Rubicon from Gaul: for though these Ministers, considered as statesmen, or as commanders, are no more like Cesar than I am like Hercules, yet did he, like them, take up the battle against the constitution of his country; and having rashly made the first decisive step, he saw no possibility of receding, without the loss of his credit and his offices, perhaps the forfeiture of his life; for his offences had been scarce less criminal than those of Cataline. What Cicero remarked of the march of Cesar towards the capital of Italy, may also be well applied to our Ministers: "He came well provided with *every* thing," says that celebrated orator, "excepting a good cause."

Hon. Temple Luttrell, Nov. 18, 1777.

I can only compare the conduct and catastrophe of General Burgoyne, at the head of the northern army, with that of Charles, the bold Duke of Burgundy, when he issued the most severe proclamations against the brave Switzers, in the Canton of Berne. Looking upon them as already conquered, he carried with him chains to lead them captive at the feet of his cavalry, and he gave them notice, that he would cause to be erected the most stately monuments to his martial fame, in the very heart of their country. Sir, he fulfilled his promise; a monument they erected for him in the form of a charnel-house, filled with the skulls and skeletons of the invading army, which was totally overthrown by the intrepidity of the Swiss peasants near the town of Morat, and the victors furnished his monument with this emphatic inscription: "*Caro-*

lus Burgundiæ dux inclitus hoc sui monumentum reliquit," &c. It is, Sir, however, in vain to hold up such bloody scenes, in *terrorem*, before the hardened authors and conductors of this unnatural quarrel. You might as well, Sir, put an hungry leech on the richest vein of your body, and counsel with it not to draw blood, as to talk with these contractors, paymasters, treasurers, commissaries, and a long list of *et ceteras*, who traffic thus lucratively with the calamities of their country, to relinquish their hold, and confess their ambition and their rapacity satisfied. The minority, therefore, of which I certainly shall be one, have only to lament, that a Sovereign so moral and pious as ours now on the throne, so humane and so generous, so capable of governing a free people with honour, prosperity, and renown, should already have sacrificed one half of his dominions, and desperately hazard the loss of the other half, to cherish and aggrandize a more immoral and profligate, a more tyrannical and sanguinary, and, in short, a more weak set of Ministers, than ever tried the patience of the English nation under the worst of the Stuart Kings.

Hon. Temple Luttrell, Nov. 18, 1777.

I cannot help observing, Sir, that I have never heard the noble Lord (Lord North) behave with so much candour, generosity, and spirit, as to-day; he has agreed to every tittle of what has been requested of him; he has published a bond, wherein he has granted all; but in the end has inserted a little defeasance, with a power of revocation, by which he has preserved himself from every grant he made. His conduct, Sir, exactly reminds us of a certain Governor, who, when he arrived at his place of appointment, sat down to a table covered with profusion, and abounding with every dainty and delicacy that art, nature, and a provident steward could furnish: but a pigmy physician, who watched over the health of the Governor, excepted to one dish, because it was disagreeable; to another,

another, because it was hard of digestion ; to a third, because it was unhealthy ; and in this progressive mode, robbed the Governor of every dish on table, and left him without a dinner.

Mr. Burke, Nov. 28, 1777.

Convinced, perhaps, of the inefficacy of violent remedies, we may learn, though late, to prescribe *lenitives*. For two years that a certain noble Lord has presided over American affairs, the most violent, scalping, tomahawk measures have been pursued : bleeding has been his only prescription. If a people deprived of their ancient rights are grown tumultuous—*bleed them !* If they are attacked with a spirit of insurrection—*bleed them !* If their fever could rise into rebellion—*bleed them !* cries this state physician : more blood ! more blood ! still more blood ! — When Doctor Sangrado had persevered in a similar practice of bleeding his patients, killing by the very means which he used for a cure, his man took the liberty to remonstrate upon the necessity of relaxing in a practice to which thousands of their patients had fallen sacrifices, and which was beginning to bring their names into disrepute. The Doctor answered, “ I believe we have, indeed, carried the matter a little too far ; but you must know, I have written a book upon the efficacy of this practice, therefore, though every patient we have should die by it, we must continue the bleeding for the credit of my book.”

Mr. Fox, Dec. 2, 1777.

A right honourable gentleman has proposed, that a Committee should be appointed to regulate and adjust the public accounts. The noble Lord in the blue ribband, alarmed at the proposition, and shrinking from the appeal, and a tribunal so impartially and so honourably constituted, stepped in between the gentleman and the public in a manner seldom practised in this House, produced a bill, appointing a certain number of

his own friends to try the imputed crimes or mismanagement of himself and his colleagues in office, annexing a very beneficial salary to each of these gentlemen. By this management the public is put into the situation of a traveller at a Dutch inn. When he complains to the landlord of the extravagance of his bill, he takes it away, and makes a considerable addition to each article, which the unwary stranger is obliged to pay. Thus when the people require a reduction of places and pensions, the noble Lord answers them with the appointment of half a dozen *new* Commissioners, with the salary of one thousand pounds per annum.

Sir Philip Jennings Clerke, Nov. 10, 1780.

Every one, as well as myself, must recollect what passed on the first day of the session, when the scene was the most striking that, perhaps, ever was exhibited within these walls, and when the principal actor in that scene, the late Speaker, (Sir Fletcher Norton) gave an example of heroic fortitude equal to any ever displayed by a Roman matron. It requires the pencil of a West, or a Copley, to do it full justice. Being but a bad painter, I must have recourse to poetry, and recall the idea of that scene to the House, by stating, that it strikes me as a strong resemblance of the scene which passed between Paulo Purganti and his wife. The late Speaker, on the first day, sat and heard the noble Lord who moved the question of that day, and the right honourable seconder, (Mr. Fox) anxious for his health, expressive of their care for his constitution, and thence desirous of removing the burden of business off his shoulders. The House heard the right honourable gentleman, the late Speaker, confess, that his constitution was impaired, that his faculties were injured, that he was much the worse for having sat so long in the chair; and yet now, when the right honourable gentleman's friends have expressed a desire of that gentleman's return to the chair, the right honourable gentleman stands up, and, like a Roman matron,

tron, despising the thorns with which the seat is filled, despising all fears of restless days, sleepless nights, and dull debates, declares himself again willing to undergo the punishment of sitting here. Thus the doctor in the tale, like the noble Lord, is laborious in recommending patience to his wife, in giving her receipts for her health; but she, with Roman firmness, in spite of all his advice, still urged her wishes and her resolutions, till at length the doctor cried—

I'll do it—but I'll give you warning—
You'll die before to-morrow morning.—

And then, like the right honourable gentleman on the first day of the session, Paulo Purganti's wife, in defiance of the threatened danger, replied—

Let wanton wives by death be scar'd ;
But, to my comfort, I'm prepar'd.

Mr. Courtenay, Nov. 16, 1780.

Sir Hugh Palliser's silence immediately after the sentence of the Court Martial was known, his resignation of his lieutenant-generalship of marines, his retirement from Parliament at that time, and his high tone now, all remind me of a scene between two characters at a play, which I have often laughed at, and doubt not every gentleman present has done the same. In the play, the Old Batchelor, that I allude to, a blustering being, Noll Bluff, was kicked and disgraced at one period of the plot, which he suffered with the utmost patience, and without attempting to defend himself, or to retaliate on his assailant; but in a subsequent scene, in which a dialogue ensues between the Bully and Sir Joseph, (Sir Joseph Wittol) the former grows angry, and says, "Death and hell! to be affronted thus! I'll die before I'll suffer it." Sir Joseph endeavours to persuade him not to revive what had disgraced him, and what was then past remedy; and asks him, whether he

was not "abused, cuffed, and kicked?" To which the Bully swears, "By the immortal thunder of great guns, 'tis false!" and draws his sword. Sir Joseph begs him not to be in a passion, and says, "Put up, put up." The Bully replies, "By Heaven! 'tis not to be put up!" Sir Joseph says in answer, "What!" The Bully replies, "The affront." Sir Joseph then adds, "That's put up already; thy sword, I mean, put up; put up your sword." This scene, I must confess, strikes me as a strong resemblance of the Vice-admiral's conduct. I advise him, therefore to put up his anger, and think himself well off to rest as he is.

Hon. John Townshend, Dec. 4, 1780.

A lively French writer has said, that the most melancholy quarter of an hour in the whole twenty-four, is that in which the reckoning is to be paid. This is the time in which the Public are called on to discharge the tremendous reckoning incurred by the American war; and in order to it, gentlemen are desired to impose burdens of the most heavy and galling nature on their constituents. It is now a moment when men naturally examine the items of the bill, and are led to ask themselves, whether in ordering the dishes which have composed their entertainment, they have not thoughtlessly given way to their capricious appetites, rather than consulted their sober reason, and ordered such matters only as their bodily health required. I will venture to say, that now men have risen from the feast, extravagant beyond all example as it has been, it has not proved salutary or satisfactory to any one that has partook of it. The time of remedy has unfortunately been suffered to escape unused; but you, Sir, I trust, will do me the justice to say, that I objected to the bill of fare originally, and that I stated my reasons for disapproving of the most expensive dishes. That very costly one, an army large beyond all example, has been a particular object of my dislike,

like. A large army was always disagreeable to an Englishman. A large army for no use is still more disgusting. What proof have we that the army existed which we voted, but that most disagreeable of all proofs, the being called upon to pay them? What has that army done for the immense sums that they have cost the public? What are they now doing? A short paragraph would comprehend the history of all their most memorable transactions. In 1778, the army evacuated Philadelphia; in 1779, they evacuated Rhode Island; in 1780, the army was — no man knew where, and doing — no man knew what. So that the idea of Mr. Bayes, which has hitherto been considered as a ludicrous one, is attempted to be seriously realized, viz. to keep a large army incog.

Sir Charles Bunbury, April 12, 1780.

I am sorry that opulence is to be acquired by getting into Parliament. But so it is, that Members are like the *tenuis vulpercula*, or the weazel, which being slender, creeps into the cupboard; but eats so much there, that it cannot get out. So it is with Members of Parliament; they get in sleek and slender, and afterwards, being gorged with places, pensions, and *douceurs*, get such enormous bellies, that they are scarcely able to get out again. To adopt another comparison: Members come here as into a hencoop, where they feed heartily at the expence of freedom. I wish the House of Commons were a kind of *ergastulum*, to work off these fat, large bellies, that are contracted by the *douceurs* acquired herein. I wish, Sir, that Members might spend, instead of acquiring fortunes in the public service, and growing fat, (stroking his own belly, and looking at Lord North) “with fair round belly, and good çapon lined.”

Mr. Burke, March 8, 1781.

O liberty! O virtue! O my country! has been the incessant pathetic, but fallacious cry, of former Oppositions; the present, I am sure, act on purer motives; they weep over their bleeding country; yet "the patriot eye, in a fine phrenzy rolling," deign to cast a wishful squint on riches and honours enjoyed by the Minister and his venal supporters. If I were not apprehensive of hazarding a ludicrous allusion, which I know is always improper on a serious subject, I would compare their conduct to the sentimental Alderman's in one of Hogarth's prints, who, when his daughter is expiring, wears indeed a *parental face* of grief and solitude; but it is to secure her *diamond ring*, which he is *drawing gently from her finger*.

Mr. Courtenay, Feb. 26, 1781.

The American war, and the continuation of the Ministers in office, go hand in hand; if the former was at an end, the latter would infallibly lose their places, which they consider as their stake. His Majesty's Ministers and the American war are like the *porter's breech* and the nose of *Taliacotius*. There is a sympathy between them, which renders them constantly dependent on each other:

When life of parent b—m is out,
Off drops the sympathetic snout.

So with the American war must their places and their pensions very sympathetically expire.

Mr. Burke, April 28, 1781,

The Minister has said, that we are not to go on with the American war in the same way; we are to *alter* and *contract* the mode of it; but does that make any material difference? I have read of a Lacedemonian, who, in a war with a neighbouring country, and in a sea engagement swam up to a galley, and laid hold of it with his right hand; the people in the galley cut off his right hand; he then seized hold of it with his left hand;

hand; they cut that off also, and then asked him if he would go on with the attempt. The Lacedemonion said, "not in the same way;" and he instantly seized it with his teeth. This is exactly the case with His Majesty's Government; they have lost both their hands in their attempts upon America, and they are yet determined, like the Lacedemonian, to go on, and fasten upon it with their teeth. But they should remember, that when the Lacedemonian did this, *they struck off his head.*

Sir George Savile, Dec. 14, 1781.

No one laments Mr. Fox's illness more than I do; and I declare, if he should continue ill, the inquiry into the conduct of the first Lord of the Admiralty should not be proceeded upon; and even should the country suffer so serious a calamity as his death, it ought to be followed up earnestly and solemnly; nay, of so much consequence is the inquiry to the public, that no bad use would be made of the skin of his departed friend, should such be his fate, if like that of John Zisca it should be converted into a drum, and used for the purpose of sounding an alarm to the People of England.

Mr. Burke, Jan. 28, 1782.

Though I have not the honour of being one of those sagacious country gentlemen, who have so long vociferated for the American war, who have so long run on the red-herring scent of American taxation, before they found out there was no game on foot; they who, like their prototype, Don Quixote, have mistaken the barber's basin for a golden helmet; I now congratulate them on having at last recovered their senses, and found out their error. I wish to see a constitutional Administration, founded on the basis of public virtue and public œconomy, "When this corruption shall put on incorruption, and this mortality shall put on immortality." Though the other side have not listened to me with their usual

usual indulgence and attention, their exultation, triumph, and interruption, I freely pardon on this occasion :

When in their hands all power they found,
 It well might make their heads turn round ;
 It well might turn their head.
 I fancy, though they take a joke,
 They felt as Nell did, when she woke,
 In Lady Loverule's bed—— —

Mr. Courtenay, March 20, 1782.

I own myself a firm friend to the motion for a Parliamentary Reform, and am of opinion, that this House might as well call itself the representative of France as of the People of England. I had a large tree growing some time since on my estate, which bore many green leaves on the trunk of it, and seemed to be in a flourishing state ; but on looking at the tree, there appeared a hole or two, which I looked farther into, and on a close inspection found the tree was rotten within ; the inside was mere touchwood. I had the rotten part cut out, and now the tree forms a commodious place, fit for a dozen persons to dine in. The present Constitution I compare to this tree ; it appears sound, but on an inspection I fear it will be found like the tree, rotten at the heart.

Sir George Savile, May 7, 1782.

An honourable member the other day took upon him the office of Mr. Fox's panegyrist : he extolled him to the skies, and described him as compressing the whole globe with his comprehensive eye. I do not doubt of the truth of all that ; I only wish that I could turn his eye to the east, to undeceive him in some instances that seem to refute the assertions of his panegyrist. The right honourable Secretary promised a system that was to establish perpetually, if the nation chose it, the liberty of India, and to enrich and aggrandize the subjects of Britain ;

Britain; I wish I could see it. There was a time, when, if such a proposition had been made, the right honourable gentleman would have been upon a stage in the streets the next. The scheme is the most futile and frivolous that ever wore the name of a well-digested system. What is it but saying, "Leave the whole to me and my seven assistants, and I'll answer for all's doing well." I regard Lord North as a King, and the right honourable gentleman as an Emperor, the Emperor of the East! The seven Commissioners also may be considered as seven Emperors, seven holy Roman Emperors, tributary and subordinate to the Emperor of the East.

Mr. Arden, Dec. 9, 1783.

There is an incident of nature and circumstance which establishes a very essential difference between the East-India Company and every other chartered society. That circumstance is their territorial property, and their imperial power. But still I contend that no necessity has been shewn for violating the charter of the Company in the present situation of affairs. The Company are not bankrupt. The measures proposed are no other than a disfranchisement of the Company, and a confiscation of their goods in the hands of seven Commissioners. I ought to make an apology for alluding to any thing recorded in sacred writ, but cannot but read some verses in different chapters of the book of Revelation, which seem to express the intended innovation in the affairs of the English East-India Company: "And I stood upon the sand of the sea, and saw a beast rise up out of the sea, having seven heads and ten horns, and upon his horns ten crowns. And they worshipped the Dragon, which gave power unto the beast; and they worshipped the beast, saying, who is like unto the beast? Who is able to make war with him? And there was given unto him a mouth speaking great things; and power was given unto him to continue forty and two months.—[Here I believe there is a mistake of six months.]—And he causeth all, both

both small and great, rich and poor, to receive a mark in their right hand, or in their forehead.—[Here places, pensions, and peerages, are clearly marked out.]—And he cried mightily with a strong voice, saying, Babylon the Great (plainly the East-India Company) is fallen, is fallen, and is become the habitation of devils, and the hold of every foul spirit, and the cage of every unclean bird: And the merchants of the earth shall weep and mourn over her, for no man buyeth her merchandise any more; the mercandise of gold and silver, and precious stones, and of pearls, and fine linen, and purple, and silk, and scarlet, and all manner of vessels of ivory, of most precious wood, and cinnamon, and odours, and ointments, and frankincense, and oil, and fine flour, and wheat, and beasts, and sheep, and horses, and chariots, and slaves, and souls of men. And the fruits that thy soul lusted after are departed from thee, and all things which were dainty and goodly are departed from thee, and thou shalt find them no more at all. The merchants of these things, which were made rich by her, shall stand afar off for the fear of her torment, weeping and wailing, and saying, Alas! alas! that great city, that was clothed in fine linen, in purple and scarlet, and decked with gold and precious stones, and pearls! for in one hour so great riches is come to nought. And every ship-master, and all the Company in ships, and sailors, and as many as trade by sea, stood afar off, and cried, when they saw the smoke of her burning, saying, What city is like unto this great city? And they cast dust on their heads, and cried, weeping and wailing, saying, Alas! alas! that great city, wherein were made rich all that had ships in the sea, by reason of her costliness! for in one hour she was made desolate.”

Mr. Scott, Dec. 1, 1783.

I cannot but admire the noble Lord's (Mahon) impartiality in now calling to order, and asking if there is any question before the House, when he has listened *patiently* to four or five speeches

speeches without any question being before the House. He will not, however, hear one from *me*, but has verified the old proverb, "That the last feather always breaks the horse's back." The noble Lord, like a stately *camel*, in like manner, has borne very heavy burdens, but cannot now bear the weight of my *bunch* on his back.

Mr. Burke, June 3, 1784.

Whose fault is it that the election for Westminster is not ended? The fault of the High Bailiff, and of no other person. With regard to the two modes of proceeding recommended to the House, it puts the House exactly in the same situation as Fair Rosamond was in the play, when, by order of Queen Eleanor, it was said to her, "Here is a *dagger*, and here is a *bowl of poison*; chuse which you please, but one you must take."

Lord North, June 8, 1784.

Before the House resolves itself into a Committee of Supply, I wish to say a few words on the East-India Reports, which I imagine have been treated in a contemptuous manner by many members of the new Parliament. I am astonished that some gentlemen should have the presumption to call those Reports, which have been carefully collected by people of experience and ability, a collection of fables, or vague reports, destitute of any foundation whatever. There is one right honourable gentleman in my eye, (Mr. Dundas), who will certainly never give his consent in an open manner to such calumny. I am, however, informed, that gentlemen have passed over in silence the aspersions which have been thrown on the laborious works of the Committees who have sat on the India business. I am surprised that the right honourable gentleman should now shew such a pacific disposition, when formerly he appeared to be a strenuous advocate for justice, and had many engagements in the House on the subject; in all of which he

had

had come off crowned with laurels. But now those laurels appear to be tarnished, and withering on his brows; and I regret the sad alteration in his sentiments, which have deprived me of a firm and valuable assistant in the prosecution of Indian delinquents. I am informed, that he has frequently sat with the utmost composure of mind, and heard those Reports, both of the Select and Secret Committees, abused and calumniated as fictions of the brain, fables, and assertions void of any degree of truth. I should have liked to have been present on those memorable occasions, when the right honourable gentleman, by his silence, assented to the truth of those arguments; for I would have wished to have observed how his countenance appeared, when such an insult was offered to his understanding. The right honourable gentleman's conduct brings to my recollection the story that is related in the Bible concerning the wisdom of Solomon, in which it is said, that a certain woman stole a child from the real mother, and, on being detected, she still insisted that it was her child. The matter coming before Solomon for his decision, he took a sword, and was about to cut the child in two; when the *real* mother, whose heart was full of maternal affection, cried aloud, and would on no account whatever consent to the death of her child. This was the celebrated instance of Solomon's wisdom, by which he discovered the real mother, and gave the world to expect the greatest happiness from his prudence. The right honourable gentleman appears on many occasions to be a Solomon, but not by his defence of the Reports in the new Parliament; for although he is the father of the child that has been produced in the Committee—the *five handsome volumes in folio*—when it was about to be torn in pieces by gentlemen of a certain description, who trembled at the consequence, if the relations of plunder, speculation, and murders, were believed; when the child was about to be torn in pieces, by several gentlemen taking it by the legs, and asserting that it was a bastard, a fiction of the brain, totally void of truth; when that was the

case,

case, the right honourable gentleman sat with the greatest tranquillity; and in order to insinuate that he was not the father of the child, he left the other side of the House—the opposition---the happy privilege of calling aloud, “Stop! stop your sacrilegious hand.” This was acting perhaps wisely, but not according to the justice and wisdom of Solomon.

Mr. Burke, July 28, 1784.

The right honourable gentleman (Mr. Pitt) so frequently alludes to the American war that I verily believe he could not speak at all, if he were to forbear the mention of it, in like manner as Mr. Locke relates in his chapter on the association of ideas, that a man who had been fond of dancing in a room in which an old *trunk* stood, could not stir a step *when the trunk was removed*.

Mr. Courtenay, May 10, 1785.

The Committee should not be scrupulous, in viewing the Propositions for a commercial treaty between Great Britain and Ireland, fixing their eyes on any trifling defect, if any should be found in this great and excellent system. I will borrow the allusion of the *statue* and the *pedestal*, and apply it to the present case. The most celebrated sculptor of antiquity had finished a statue, which was laying on the ground, and one person found one fault with it, and another another; here a *speck*, there a *flaw*; but when placed on its *pedestal*, all these little deformities, and irregularities of the surface, disappeared; and every one, when it was placed in its true point of view, and was seen *altogether*, was ready to acknowledge the *symmetry* of the *proportion*, and the *beauty* of the whole *figure*.

Mr. Wilberforce, May 19, 1785.

T A X A T I O N.

ALL public assemblies must be composed of persons who have very different ways of thinking, different interests, and different ends. Every tax that can be proposed will be objected to by some of those who are to pay it, and the most unequal taxes will be approved of, and preferred to the most equal by those who are to contribute nothing, or a very little thereto. The Journals of this House may afford us many examples of petitions presented, and a vigorous opposition made, against things that have in their own nature appeared to be an universal benefit to mankind. Those who live by the necessities of mankind, will for ever oppose what is proposed for their relief; from hence it is, that we always see great opposition made to all attempts for improving the navigation of rivers, or of waste lands and commons; we are therefore never to conclude against the public benefit of any proposition, because we see it violently opposed.

Envy and malice will often prompt men to oppose what is apparently for their own immediate benefit, as well as for the benefit of their country. Every man, I believe, even in a private station of life, has enemies, but those who are in any public station have always a great many. Those who envy them, will always grudge them the glory of doing any thing for the public good, and will endeavour to defeat, or to give a wrong turn to whatever they propose for the benefit of their country, or for the ease of the people.

Sir Robert Walpole, Feb. 9, 1732.

I came to town but to-day; I was a stranger to the tenor of His Majesty's speech, and the proposed address, till I heard them read in this House. Unconnected and unconsulted, I have not the means of information. As to the present

present gentlemen, to those at least whom I have in my eye (looking at the Bench where Mr. Conway sat, with the Lords of the Treasury) I have not any objection; I have never been made a sacrifice to any of them. Their characters are fair; and I am always glad when men of fair character engage in His Majesty's service. Some of them have done me the honour to ask my poor opinion, before they would engage. These will do me the justice to own, I advised them to engage; but notwithstanding—I love to be explicit—I cannot give them my confidence; pardon me, gentlemen, (bowing to the Ministers) confidence is a plant of slow growth in an aged bosom: youth is the season of credulity; by comparing events with each other, reasoning from effects to causes, methinks I plainly discover the traces of an overruling influence.

There is a clause in the Act of Settlement to oblige every Minister to sign his name to the advice which he gives his Sovereign. Would it were observed! I have had the honour to serve the crown, and if I could have submitted to influence, I might have still continued to serve; but I would not be responsible for others—I have no local attachments; it is indifferent to me whether a man was rocked in his cradle on this side or that side the *Tweed*.—I sought for merit wherever it was to be found.—It is my boast, that I was the first Minister who looked for it, and I found it in the mountains of the North. I called forth, and drew into your service, an hardy and intrepid race of men! men, who, when left by your jealousy, became a prey to the artifices of your enemies, and had gone high to have overturned the state, in the war before the last. These men, in the last war, were brought to combat on your side: they served with fidelity, as they fought with valour, and conquered for you in every part of the

world: detested be the national reflections against them! they are unjust, groundless, illiberal, unmanly. When I ceased to serve His Majesty as a Minister, it was not the *country* of the man by which I was moved—but *the man* of that country wanted *wisdom*, and held principles incompatible with freedom.

It is a long time, Mr. Speaker, since I have attended in Parliament. When the resolution was taken in the House to tax America, I was ill in bed. If I could have endured to have been carried in my bed, so great was the agitation of my mind for the consequences, I would have solicited some kind hand to have laid me down on this floor, to have borne my testimony against it. It is now an act that has passed. I would speak with decency of every act of this House, but I must beg the indulgence of the House to speak of it with freedom.

I hope a day will soon be appointed to consider the state of the nation with respect to *America*. I hope gentlemen will come to this debate with all the temper and impartiality that His Majesty recommends, and the importance of the subject requires. A subject of greater importance than ever engaged the attention of this House! that subject only excepted, when, near a century ago, it was the question, whether you yourselves were to be bound or free. In the mean time, as I cannot depend upon health for any future day, such is the nature of my infirmities, I will beg leave to say a few words at present, leaving the justice, the equity, the policy, the expediency of the act, to another time. I will only speak to one point, a point which seems not to be generally understood—I mean to the right.—Some gentlemen (alluding to Mr. Nugent) seem to have considered it as a point of *honour*. If gentlemen consider it in that light, they leave all measures of right and wrong, to follow a delusion that may lead to destruction. It is my opinion that this kingdom has no right to lay a tax upon the Colonies.

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At the same time, I assert the authority of this kingdom over the Colonies, to be sovereign and supreme, in every circumstance of government and legislation whatsoever.—They are the subjects of this kingdom, equally entitled with yourselves to all the natural rights of mankind and the peculiar privileges of *Englishmen*. Equally bound by its laws, and equally participating of the Constitution of this free country. The *Americans* are the sons, not the bastards, of England. Taxation is no part of the governing or legislative power.—The taxes are a voluntary gift and grant of the Commons alone. In legislation the three estates of the realm are alike concerned, but the concurrence of the Peers and the Crown to a tax, is only necessary to close with the form of a law. The gift and grant is of the Commons alone. In antient days, the Crown, the Barons, and the Clergy possessed the lands. In those days, the Barons and the Clergy gave and granted to the Crown. They gave and granted what was their own. At present, since the discovery of *America*, and other circumstances permitting, the Commons are become the proprietors of the lands. The Crown has divested itself of its great estates. The church (God bless it) has but a pittance. The property of the Lords, compared with that of the Commons, is as a drop of water in the ocean: and this House represents these commons, the proprietors of the lands; and those proprietors virtually represent the rest of the inhabitants. When, therefore, in this House we give and grant, we give and grant what is our own. But in an *American* tax, what do we do? We, Your Majesty's Commons of Great-Britain, give and grant to Your Majesty what? Our own property? No. We give and grant to Your Majesty, the property of Your Majesty's Commons of *America*.—It is an absurdity in terms.

The distinction between legislation and taxation is essentially necessary to liberty. The Crown, the Peers, are

equally legislative powers with the Commons. If taxation be a part of simple legislation, the Crown, the Peers, have rights in taxation as well as yourselves : rights which they will claim, which they will exercise, whenever the principle can be supported by *power*.

There is an idea in some, that the Colonies are virtually represented in this House. I would fain know by whom an *American* is represented here? Is he represented by any Knight of the Shire, in any county of this kingdom? (*Would to God that respectable representation was augmented to a greater number !*) or will you tell him that he is represented by any representative of a borough---a borough, which perhaps no man ever saw. This is what is called *the rotten part of the Constitution*. It cannot continue the century. If it does not drop, it must be amputated. The idea of a virtual representation of *America* in this House, is the most contemptible idea that ever entered into the head of a man—It does not deserve a serious refutation.

The Commons of America, represented in their several assemblies, have ever been in possession of the exercise of this, their continual right, of giving and granting their own money. They would have been slaves if they had not enjoyed it. At the same time, this kingdom, as the supreme governing and legislative power, has always bound the Colonies by her Laws, by her regulations, and restrictions in trade, in navigation, in manufactures.—In every thing except that of taking their money out of their pockets without their consent.

Mr. Pitt, Jan. 14, 1766.

I am very glad to hear it generally admitted, that when gentlemen think fit to move the repeal of an existing tax, they ought to propose some tax in lieu of it, that in their opinion at least, is likely to prove equally productive. This is certainly right, because when the House is called
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upon, as it is by the motion under consideration, it is called upon to do as strong an act as the House can possibly perform, viz. to change the security given to the public creditor, and to take away the mortgage held in payment of the interest of his money. The Receipt tax, is a tax that has passed almost unanimously; at least it has been approved of by the majority of this House, and declared to be a light, impartial, and wise tax. Such, I am in my own mind persuaded, it would have proved, had the tax had fair play. It has not, however, been yet truly tried. No sooner was this tax, so much liked within doors, heard of, but the utmost pains were taken to raise a clamour against it without. Committees and associations were formed for that purpose expressly. All the art and ingenuity of man were employed in finding out means of evading it. Remonstrances against it have been fabricated, and carried from house to house to procure signatures. Those who never had heard of the tax, were called upon to lend their names to the list; nay, one man, who could not write himself, had been invited to make his mark, in order to overthrow a tax, which he was told materially concerned him, as it was a check to the currency of written evidence. As soon as any probable means of evading it were hit on, they were industriously circulated throughout the kingdom, and Government having, out of lenity, forbore to prosecute for the penalties incurred by those who flew in the face of the act, a case was made out of the whole against the tax itself, and, when Parliament met, it was applied to, in order to repeal the tax. I trust that the good sense of the House will interpose, and prevent the repeal of a tax so treated. With regard to the taxes suggested by the honourable gentleman who spoke last, they appear to me to be full as liable to objection as the Receipt tax; indeed, infinitely more so, because there are not any fixed criterion to judge of them by. For instance, suppose a tax was laid on dogs: in that case the keeper of a pack might immedi-

ately sell his pack, and buy a hunter with the money, and follow the pack of some other neighbour. In like manner, if a person kept dogs to guard his house, on a tax being laid, he might dispose of his dogs, and resort to some other means of security. So likewise with regard to pews, in order to evade the payment of a tax upon them, persons might no longer chuse to hold them. The tax on grave-stones indeed is not easily evaded, and cannot be deemed oppressive, as it would only once be paid; but such is the spirit of clamour against any tax on receipts, that I should not wonder if it extended to them, and that it should be asserted, that persons having paid the last debt, the debt of nature, Government had resolved they should pay a Receipt tax, and have it stamped over their grave. Nay, with so extraordinary a degree of inveteracy have some Committees in the city and elsewhere been actuated, that if a Receipt tax of the nature in question was enacted, I should not be greatly surpris'd if it were soon after published, that such Committees had unanimously resolved that they would never be buried, in order to avoid paying the tax, but had determin'd to lie above ground, or to have their ashes consigned to family urns, in the manner of the ancients.

Mr. Sheridan, Dec. 4, 1783.

T U M U L T S A N D R I O T S.

HIS Majesty in his speech delivered to us, by his Commissioners, most justly took notice of the many tumults and riots, that have lately happened in this kingdom; and as His Majesty most wisely thought it an affair of such consequence as to deserve being mentioned by him to his Parliament,

ment, I expected that this House would have immediately resolved upon taking that part of His Majesty's speech into consideration ; but as a motion for that purpose would have come more properly from some other Lord, I delayed for some days taking notice of it, or making any motion for our taking that affair into our consideration. This, my Lords, was my reason for allowing some of the first days of the session to pass over, without taking the least notice of what His Majesty had so wisely and so necessarily mentioned in his speech ; but finding no step made towards it by any other noble Lord, as I thought it an affair which ought not to be delayed, I took the liberty to move your Lordships for the committee you are now in ; and as I moved for your going into this committee, I think it incumbent upon me now to explain what I meant, or intended.

Though none of the riots or tumults that have lately happened in this kingdom, seem to have been directly aimed at the government, yet, my Lords, it must be granted, that no such thing can happen in any country in which the government is not some way concerned ; for as the peace and quiet of the people are disturbed by such tumultuous meetings, and as it is the business of every government to preserve the peace and quiet of the people, therefore wherever any thing like it happens, the government ought to look upon itself as deeply concerned ; and if we consider what mighty consequences have arisen from very small beginnings, if we consider how often governments have been overturned by tumults which at first seemed quite insignificant, which appeared no way intended for any such end, we must conclude, that not only our government, but our present establishment, and even our happy Constitution, are concerned in the riots which have lately happened in several parts of the kingdom ; for this reason, it is the duty of this House, as being the King's chief council, not to let such riots and tumults pass over unobserved, but to inquire narrowly into them,

them, in order to discover their true causes, and to provide an effectual and a legal remedy ; for if the law should lose its force, if it should become necessary upon all occasions to make use of a military force for preserving the peace of the kingdom, our Constitution would be at an end ; we could not then be said to be under a civil, but a military government.

Of all the late tumults, the first I shall take notice of, are those which have happened in the West on account of the turnpikes. Why turnpikes should occasion disturbances in that part of the country more than in any other, is what I shall not, at present, pretend to account for ; but these disturbances were such, it seems, that, for quelling them, it became necessary to employ a military force, which I am very much surpris'd at, considering the severe law your Lordships pass'd some time since against those who should be concerned in any such ; to me it is amazing to see that the civil power, armed with such a severe law, should not be able to prevent, as well as to quell any such tumult, without the assistance of the gentlemen of the army ; and therefore I am apt to suspect these tumults proceeded not from any want of power in the civil magistrate, but from some other cause, perhaps from some real injustice or oppression brought upon poor people by means of these turnpikes. The people seldom assemble in any riotous or tumultuous manner, unless when they are oppress'd, or at least imagine they are oppress'd. If the people should be mistaken, and imagine they are oppress'd when they are not, it is the duty of the next magistrate to endeavour first to correct their mistake by fair means and just reasoning ; in common humanity he is oblig'd to take this method, before he has recourse to such steps as may bring death and destruction upon a great number of his fellow countrymen ; and this method will generally prevail where they have not met with any real oppression ; but when this happens to be the case, it cannot be expected
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they will give ear to their oppressor, nor can the severest laws, nor the most rigorous execution of these laws, always prevent the people's becoming tumultuous ; you may shoot them, you may hang them, but till the oppression is removed or alleviated, they will never be quiet, till the greatest part of them are destroyed. This is the chief reason and the chief end of all parliamentary inquiries, and this ought to be our chief view in the inquiry we are now going upon. If we find any injustice has been done, if we find any of those tumults have proceeded from oppression ; the only way to prevent such tumults for the future will be, to remove that oppression, and to punish severely every one of those who have been guilty of it. This is the only human method of preventing riots, or tumults ; for I hope none of your Lordships are of opinion, that more severe, or any larger powers ought to be granted by law. You have already, by a late law, made it death without benefit of clergy, to be riotously concerned in breaking down any turnpike. You cannot, by any maxims of government hitherto pursued in this kingdom, inflict any severer punishment ; and I hope you will not, under pretence that the civil magistrate is not able to execute this law, agree to the erecting a barrack at every turnpike, in order that the civil magistrate may have it in his power to shoot every man who presumes to make his escape from that punishment which is provided for him by law.

As for these tumults that happened at Spitalfields, and that neighbourhood, the government was, I think, as little concerned in them, as ever it can be in any such. They proceeded entirely from an accidental quarrel that had happened between the English and Irish labourers, and they might have been quelled, and the ringleaders punished, even though we had not a regiment of regular troops in the kingdom. Then with respect to that most ridiculous affair in Westminster Hall, it was, it is true, a most daring insult both upon

upon the government and the Courts of Justice ; but I do not think it can be called either a tumult or a riot. There was, I believe, but one person actually concerned in it and but very few privy to it ; and as it answered no end, nor could proceed from any sudden passion or resentment, I must think none but madmen could have any hand in it. If we consider the place where, and the person before whom this ridiculous insult was committed, we must conclude, that no man in his right senses would have been guilty of it, or would have so much as thought of any such impudent and foolish contrivance ; for the noble Lord who presided in that court, has, I am sure, gained the esteem and affection of every man of sense in the kingdom. He is a magistrate of great power ; but, my Lords, great as it is, his authority is equal to his power. Power and authority we must consider as two things of a very different nature ; power the legislature may give, but authority it can give no man ; authority may be acquired by wisdom, by prudence, by good conduct, and a virtuous behaviour, but it can be granted by no King, by no potentate on earth ; a man's power depends upon the post and station he is in, but his authority can depend upon nothing but the character he acquires amongst mankind, and the more power a knave or a fool is vested with, the more he will be despised, the more generally will he be loaded with hatred and reproach.

The riots and tumults which proceed from smuggling, are, my Lords, of an old standing, and of a very different nature ; but they are of late become so frequent, and the smugglers are become so numerous and so audacious, that they deserve our closest attention. I am afraid some extraordinary methods must be made use of for suppressing them ; but the only way of contriving an effectual method for that purpose will be, to inquire into their causes, and to take such measures as may be proper for removing these causes ; for in the body political, as in the body natural, while the cause remains,

mains, it is impossible to remove the distemper ; severe laws against smuggling, and the most rigorous, the most arbitrary execution of these laws, we know, by the example of a neighbouring kingdom, will never prevail. By such methods we may irritate, we may destroy the subject, and at last, perhaps, bring on a distemper of a much more dangerous nature ; and I am afraid the law passed last year for preventing smuggling, will be found to be a remedy of such a nature. If that law had been passed in that form and shape, in which it was once put by this House, it would not, in my opinion, have been so extraordinary, nor so dangerous ; and I believe it would have been much more effectual. We were told by the best lawyers in England, that by that law, as it was first brought in, and afterwards passed, no judge in England could know how to direct a jury ; and after they had been told so, I must think it was a little odd, to turn it out of that shape we had put it into by their advice, and pass it in that very shape in which they told us it could have no effect.

Upon this occasion, I must observe, my Lords, that even that wicked, that atrocious riot and murder committed at Edinburgh, proceeded originally from smuggling ; for it was the execution of a smuggler that occasioned all that disorder and wickedness that afterwards ensued. That tumult and the murder they committed, was, indeed, one of the most extraordinary that ever happened in any country, and it was, I think, one of the greatest indignities that ever was put upon an established government. For this reason, it highly deserves our attention, and we ought to look upon it as the more dangerous, and the more to be taken notice of, because it was carried on with a sort of decency and order ; for as Germanicus observed of a mutiny among the Roman soldiers, it was the more to be dreaded, because it seemed to be attended with no disorder or confusion : I am sorry to hear the government has not been able to discover, or at least

least to apprehend, any of the persons guilty of that barbarous murder ; for where such persons were concerned, many of their names may surely be discovered ; and if they are fled from justice, fly where they will, they ought to be brought back and punished. By our power, we may bring them back from our plantations, and by our interest we may be able to bring them back from any foreign country, for no state in Europe would protect such cruel murderers : a foreign state may, perhaps, for political reasons, give shelter to the rebels of a neighbouring country, but I cannot think any state will refuse to give up such criminals, when a proper application is made to them for that purpose. The names of the murderers must be all known in the city of Edinburgh, at least the names of such as have absconded, or fled on that account, and if the citizens refuse to give an account of their names, there may be methods found for compelling them : they may be threatened with removing the Courts of Justice, as was done in the late Queen's time, when the tumult happened there which occasioned the execution of Captain Green. Upon that occasion Her Majesty, by the advice of her Privy Council here, wrote a letter to the Privy Council of Scotland, ordering them to signify to the magistrates of Edinburgh, that in case any tumult ever happened again, the Courts of Justice should all be removed from that city : from whence I would conclude, that the King has a power to remove them ; for if our King had no such power, I am sure no such thing would have been threatened by so wise an Administration as we had then the happiness to have at the head of our affairs.

But, my Lords, if the citizens of Edinburgh should obstinately protect or conceal those murderers, there are cases in which a city may forfeit her charter, and become as it were *in misericordia regis*, with respect to her whole liberties and franchises. The city of Cambridge was declared by Parliament in the reign of Richard the III. to have forfeited

feited all her liberties, on account of an insult committed by the citizens upon the University ; in consequence of which, many of their privileges were taken from them, and granted to the University ; from hence, we may see, that a city may forfeit her privileges, and I do not know but the city of Edinburgh has already done so ; for if it should appear, that the citizens had been generally concerned in that riot and murder, if they should protect or conceal the murderers, or if the magistrates of that city had, either through fear or design, connived at the murder, they might be justly deemed to have forfeited their charter ; and in such a case, I do not know but it may be thought proper to divest them of some of their privileges, by way of punishment, and as an example for other cities in time to come.

For this reason, I think, my Lords, we ought to make a particular inquiry into that affair, and into the conduct of the magistrates upon that occasion ; and this inquiry is the more necessary, because it does not seem that any full discovery has yet been made of the authors of that riot. This I hope may be obtained by virtue of the power and authority of Parliament ; and when we have discovered the authors, we may take such measures as may be thought most proper for bringing them to condign punishment. As this tumult at Edinburgh was of the most heinous nature, and as a very high indignity was by those rioters put upon the crown itself, we ought, in my opinion, to begin with it ; but let us begin where we will, it is incumbent upon us to make some inquiry into that and other riots which have lately happened ; for after His Majesty has in his speech expressly mentioned and complained of these riots and tumults, it would look very odd in this House to take no notice of them, nor make any attempt to punish the authors of those that are past, as well as endeavouring to prevent any such for the future. Such a neglect would shew a very great disrespect and disregard for the honour and interest of our Sovereign, which I

am sure every one of your Lordships will endeavour to avoid, as much as you can. I shall not at present take upon me to make any motion, because I think it will come better from those who have the honour to be employed in Administration; and I hope some of them will stand up and move for some sort of inquiry in that affair, or make some motion tending to that purpose.

For my own part, my Lords, in taking notice of the affair in the manner I have already done, I have done my duty as a Lord of this House; and if nothing farther should be done, I shall, from what I have said, have at least this advantage, that if I should find myself obliged to oppose any methods that may hereafter be proposed for preventing such riots in time to come, which may very probably be the case I hope it will not be thrown in my teeth, that I am a favourer and an encourager of such riots; for, from what I have now said, the contrary will appear. It appears, I believe, that I am as great an enemy to riots as any man: I am sorry to see them so frequent as they are; but I shall never be for sacrificing the liberties of the people, in order to prevent their engaging in any riotous proceedings; because I am sure it may be done by a much more gentle, and much less expensive, method. A wise and a prudent conduct, and a constant pursuit of upright and just measures, will establish the authority as well as the power of the Government; and where authority is joined with prudence, the People will never be tumultuous; but I must observe, and I do it without a design of offending any person, that ever since I came into the world, I never saw an Administration that had, in my opinion, so much power, or so little authority. I hope some methods will be taken, for restoring to the laws of this kingdom their ancient authority; for if that is not done, if the Lord Chief Justice's warrant is not of itself of so much authority, as that it may be executed by his Tipstaff in any county of England, without any other assistance than what is provided by law, it cannot be

be said, that we are governed by law, or by the civil magistrate: if regular troops should once become necessary for executing the laws upon every occasion, it could not then be said that we were governed by the civil power, but by the military sword, which is a sort of government I am sure none of your Lordships would ever desire to see established in this country.

Lord Carteret, Feb. 10, 1737.

W A R.

I AM old enough to remember the first great war against France, and I remember that as soon as the Dutch applied to us for assistance, King William immediately laid the case before Parliament, and took their advice, as to what was proper to be done upon that emergency, before he came to any resolution. Upon the breaking out of the second war, the late Queen did the same; and I must say, that I think every King of this nation ought to follow that example; if they expect the assistance of Parliament, they ought to take the advice of Parliament; and our histories will inform us, that where they have done so, they have generally done well; and where they have done otherwise, they have had but little success.

Mr. Cockburn, Jan. 25, 1734.

With respect to the question now before us, I hope no gentleman expects, that for his satisfaction His Majesty should be obliged to disclose to this House all the secrets of his government, all the negotiations he is now carrying on with

foreign powers, and all the private informations he may have received, in relation to the views and designs of the several powers now engaged in war; nor can it be expected that His Majesty should now declare positively to us what he is resolved to do, in relation to his engaging or not engaging in the present war; if any such thing could be done, I believe 'it would very soon put an end to the question; but no such thing has ever yet been practised, nor has this House ever thought such a practice necessary, for inducing them to agree to any demand made by the Crown, and I hope it never will: for if ever this should come to be thought necessary, it would lay this nation under a very great disadvantage, because it cannot be expected that what is once disclosed in such a numerous assembly should continue long a secret; from whence this inconvenience would necessarily ensue, that foreign powers might at all times proceed with great secrecy in their measures, for the destruction or disturbance of this nation, while we could have nothing to annoy our enemies, nor even be provided for own defence, but in the most open and public manner: nay, if our King should at any time get information of the designs of our enemies, he would be obliged to discover to this House, that is to say, he would be obliged to tell our enemies, from whom he had that information, and on such a supposition, 'tis certain no information would ever be given to us; we could never know any thing of the secret designs of our enemies till the very moment of their execution; and therefore we must conclude, that such a maxim established in this House would be absolutely inconsistent with the safety of our country. For this reason we must, in the present case, and in all such cases, take the argument entirely from what appears in His Majesty's speech, and from those public accounts which are known to every gentleman in the House. Upon this footing, Sir, and upon none other, shall I presume to give my reasons for agreeing to the augmentation proposed; and, indeed, upon this footing the reasons are, in my opinion, so evident and so strong, that there

is no occasion for inquiring into any secrets, in order to find other reasons for our agreeing to this augmentation. From what has as yet appeared, we are not, 'tis true, obliged to engage in the present war; for as the motives, or at least the pretended motives for the war, relate entirely to the affairs of Poland; and as that is an affair in which the interest of this nation is no way concerned, we are not obliged to engage in the war upon that account; the Emperor has indeed called upon us for the succours, which he pretends are stipulated by the treaties subsisting between us; but as we are not by any treaty engaged to support either one party or the other in Poland, or to support His Imperial Majesty in his views relating to that kingdom, therefore we do not think ourselves obliged, by any treaty subsisting between us, to furnish him with succours in a war which has been occasioned, as is pretended at least, merely by the present dispute about the election of a King of Poland. If we were absolutely certain that the motives assigned were the real and the only motives for the present war; if we had a full assurance that the parties engaged would carry their views no farther, I should readily grant that there would have been no occasion for our putting ourselves to any expence, nor would there be now any necessity for the augmentation proposed; but this is what we neither could at the beginning, nor can yet depend on; foreign Courts may have secret views which cannot be immediately discovered; but His Majesty, by offering to interpose his good offices, has taken the most effectual method of discovering the secret views of all the parties concerned; and if by the interposition of his good offices he should discover, that either of the parties engaged in war will accept of no reasonable terms, we may from thence conclude, that the affair of Poland was not the only and real motive for the war, but to join with all our force against that party who we found had formed such a design.

In the formation of every design for overturning the balance of power in Europe, the party that forms it must not only

have great ambition, but, before he dares attempt to put it in execution, he must have some hopes of success. The ambition of our neighbours, Sir, is what we cannot prevent, but we may, by proper precautions seasonably taken, deprive them of all hopes of success; and by so doing we shall always prevent their attempting to put their design in execution. From this maxim we may see the wisdom of the measures taken last year; His Majesty did not find himself obliged to take any share in the war, but as the ambition of either of the parties engaged might at last involve this nation in the war; therefore he offered to interpose his good offices for bringing about an accommodation, whatever might have been the views of the parties engaged at the beginning of the war: yet upon seeing this nation put itself in such posture of defence, they all thought proper to drop any ambitious views they might then entertain, by accepting of the good offices His Majesty has offered. Their ready compliance in this respect can be attributed to nothing but the preparations we made last year, and the powers that were granted the last session of Parliament to His Majesty; by these we deprived them of all hopes of succeeding in their ambitious views. It was this, Sir, that produced an acceptance of the good offices His Majesty had offered; and if we should slacken in our measures, if we should discontinue our preparations, it would render us despicable in the eyes of all the parties engaged in war, and would consequently disappoint the good effects we have reason to expect from that acceptance. At the beginning of last session, it was very well known that the French were fitting out a large squadron at Brest, and were providing transports and a land army to be sent along with that squadron, under pretence of relieving Dantzick. In such a situation, Sir, I should have thought those who had the honour to advise the King very imprudent, or very unfaithful Counsellors, if they had not advised him to put the nation immediately into a state of defence; for though it was probable that neither the French nor any other power would attack us

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while we continue neutral; yet it is certain it was then, and always will be, very much the French interest to have this nation on its side; and if they had then seen, or should upon any such occasion see, that it would be easy to overturn our Government, by our not being sufficiently provided for defence, and could, by overturning our Government, get numbers of this nation to join with them, it would then have been, and always will be, worth their while to make the attempt; therefore, in order to preserve the peace and quiet of the nation, we ought always to be upon our guard, and ought to make some additional provision for our defence, when any of our neighbours are fitting out large squadrons, which may possibly be made use of to attack or invade this nation. This, Sir, was the reason for His Majesty's desiring 20,000 men the last session of Parliament for sea service; but from what has since happened, the reason seems to have gathered a little more weight; for though there was no particular reason to suspect that the French squadron was designed against us, yet there was no other place in the world for which it would be designed, except Dantzick; and whether it was designed for Dantzick or not, it is certain it did not go to Dantzick, for we all know it continued at Brest the whole Summer.

After the last session of Parliament had agreed to the 20,000 seamen desired by His Majesty, he had an account, that besides the squadron fitting out at Brest, both the French and the Spaniards had given orders for fitting out all the ships of war, lying in any of their ports, from Toulon round to Brest; from whence His Majesty, with great reason, thought it absolutely necessary to make a farther addition to his naval force; for which purpose he applied to his Parliament for a power to do so; and in pursuance of the powers granted him upon that application, he has since made an addition of 7,000 men to the sea service; so that our present naval establishment consists of 27,000 men; 7,000 of which must be reduced, if we should agree to grant but 20,000 seamen for the ensuing year.

Having thus, Sir, laid the present state of our naval force before you, let us consider the present state of the affairs of Europe, the circumstances our neighbours are in, and the circumstances we are in ourselves. As to the affairs of Europe, it is certain they seem to be in no less dangerous state than they were last year; His Majesty's good offices are, indeed, accepted of; but that acceptance has not as yet produced the wished-for effect, nor can it be expected it should, if His Majesty should appear to be less powerful when he comes to offer terms of peace, than he was when he made the offer of his good offices: we cannot therefore, from the present state of the affairs of Europe, draw any argument for diminishing our naval force. Then as to the circumstances of our neighbours, it is very certain, that not only all the ships of war, fitted out either by the French or Spaniards, are continued in commission, but both these nations are with the utmost application rebuilding and repairing every ship of force they have in their dominions, and are besides building new ships of war as fast as they can; from whence I think it is evident, that instead of making any reduction of the naval force we had last year, we ought to make some addition, and the addition proposed, which is properly 3,000 men, is, in my opinion, the least that can be thought of.

This, Sir, must be thought still more reasonable, if we consider our own particular circumstances, and the difficulty there is of getting our seamen together after they are once dispersed. In countries where absolute and arbitrary government prevails, all their seamen are registered, and they always know where they may find them when they have occasion for them. Their seamen, as well as all their other subjects, are under a sort of military discipline; they cannot absent themselves without a furlough, and they must remain absent no longer than their furlough gives them leave; by which means the Government always know what number they may depend on upon any emergency. But in this happy country, where every private
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man enjoys his full liberty, we cannot command our seamen to stay at home, nor can we call them home when we have a mind; for, notwithstanding the difficulties which every one knows we found last Summer to man the fleet then fitted out, yet it was computed there were at least 11,000 British sailors employed all last Summer on board of British ships in the service of foreigners, either as transports, or as trading ships. In this country we have no method of providing sailors employed upon any sudden emergency, but by pressing those seamen we find by chance at home, or upon our own coasts; and this method is always attended with so many inconveniences, is accompanied with circumstances so galling to the feelings of British seamen, and so distressing to the families and relatives of these brave men, that in order to prevent our being at any time reduced to that necessity, every man who has a due regard to the liberty and the happiness of the subject must agree, that we ought, upon every occasion, to begin early to provide against any danger we think we have reason to apprehend.

In all the measures we have hitherto taken relating to the present war, our ancient and natural allies, the Dutch, have cordially joined with us in every thing: they joined heartily with His Majesty in offering their good offices for composing the present unhappy differences in Europe; and they have likewise joined with His Majesty in concerting a proper plan for a pacification. It may, perhaps, be insinuated, that they have put themselves to no expence on account of the present war; but this is neither a just nor a true insinuation; for it is very well known, that before the war broke out they had resolved to have made a very considerable reduction of their land forces. Every one knows, that soon after the peace of Utrecht they reduced their army to 32,000 men, and for several years after they kept it at that number; but upon a change which happened in the affairs of Europe, they augmented it again to 52,000 men; and at that time we likewise found it necessary

to increase our army to 26,000 men. The war with which Europe was then threatened was happily prevented; and as soon as it was, we immediately began to reduce our army; we reduced it at first 5,000, and soon after 3,000, of the number we had increased it to: but the Dutch made at that time no reduction; they never thought of making any reduction till the very year before the present war broke out; then indeed a resolution was actually taken in some of the provinces to reduce 10,000, and that was soon to have been followed by the reduction of another 10,000, in order to have brought their army to its former standard of 32,000 men; and both these reductions have been put off, merely on account of the present war; so that, to speak properly, they have put themselves to the expence of maintaining 20,000 men ever since the war began; and therefore it is not to be wondered if they made no addition to their fleet, especially if we consider that they are in no danger of being attacked by sea; and the bad condition their navy happens to be in at present, which is occasioned by the vast expence they were put to during the war, in which they were obliged to maintain a much greater number of land forces than we maintained, and were farther obliged to be at the expence of all the sieges that were undertaken during the war.

The Dutch, 'tis true, Sir, concluded a treaty of neutrality with France, with regard to the Austrian Netherlands; but it is not from thence to be concluded, that they are engaged in any interest separate from us. They were no way concerned in the affair of Poland, no more than we; if their barrier was secured, and the balance of power not brought in any danger, they had good reason to think themselves no way concerned in the war; the first they provided for by their neutrality, and the last would be in no danger, as long as the parties engaged in war confined their views to what they then publicly declared; but if either of them should begin to extend their views, and thereby bring the balance of power into danger, the
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Dutch would be then at liberty, and would certainly do what was incumbent upon them in such a conjuncture; and till that conjuncture happens, we can have no more concern in the war than they: nay farther, in the concluding of that treaty of neutrality, so careful were the Dutch to preserve to themselves a liberty of doing afterwards what they should find proper, that, by an express provision of the treaty, they have reserved to themselves a power of sending the stipulated succours to the Emperor, in case they should find it necessary so to do.

Thus, Sir, it appears that the Dutch are so far from having fallen into measures separate from us, that they have continued a heavy charge upon themselves, in order to be ready to join with us in any measure that may hereafter appear necessary for preserving the balance of power in Europe; and for that reason, as well as a great many others, I think it is incumbent upon us to put ourselves in such a condition as may enable us to act that part which Great Britain ought to undertake, in the glorious cause of preserving and securing the liberty of Europe.

Sir Robert Walpole, Feb. 7, 1735.

Prudence and pusillanimity, Sir, are two words, which are easily understood in private life; but in public and in national affairs, it is not so easy to form proper ideas for those two words, and to determine the exact boundaries between them. If a private man should think his honour injured, he may, he ought, to resent it immediately, because, as he has nothing but his own life to lose, his own opinion is a good and sufficient reason for putting it to the venture: but in national quarrels the lives of many thousands are concerned; and those who are to deliberate and determine in what manner, or how soon, an injury ought to be resented, are generally those whose lives, in case of a rupture, will be the last of being brought into danger. For this reason they ought not to depend so much on their own opinion, nor ought they to insist upon such punctilios as may be insisted on in private life. They ought to consider
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the circumstances of both nations, and they ought to weigh thoroughly the probable consequences; for it may sometimes be the interest of a nation to pocket an affront, or at least to defer their resentment till they find a more proper opportunity for taking vengeance.

Sir Robert Walpole, Jan. 28, 1738.

It is very easy to talk big, either within doors or without; and considering the spirit of resentment that has been industriously stirred up in the nation, I know it would be mighty popular in us to come to vigorous resolutions immediately, but I do not know if it would be mighty wise. I am sure it would not be wise, as long as there are any hopes of obtaining redress by peaceable means; and even when we are come to an end of all our hopes in this way, we ought not to begin to talk till we are ready to act. In this we ought to follow the example of that sort of animal which is peculiar to this island, and therefore I am not ashamed to recommend its example to my countrymen: I mean our brave English bull dog, who always seizes upon his enemy at once, and without making the least noise before hand. Threatening speeches, or even threatening resolutions, are but words. They are *vox & præterea nihil*; and therefore the less they are made use of the better: but if any such are ever made use of, they ought to be instantly followed with suitable actions; for if they are not, those who have injured us will despise our menaces, and the whole world will laugh at our folly.

Horace Walpole, Esq. Jan. 28, 1738.

I must say, that whatever the present character of the nation may be, I think we ought to do nothing rashly, either for preserving or recovering it. A man of real courage and good sense is never jealous of his character, and therefore is not so apt to take things amiss, or so hasty in resenting affronts, as one who has only a brutish temerity, or a false and affected
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courage; besides, whatever may be our case at present, we ought not to show our teeth till we can bite.

No nation in the world, I believe, ever declared war till they were ready to enter upon action; and as we at present have neither a fleet nor an army ready sufficient for attacking such a powerful nation as Spain, I think we ought not as yet to do any thing that may look like a declaration of war, or even like a resolution to declare war.

Sir Charles Wager, Jan. 28, 1738.

In public life, as well as in private, there are some affronts that cannot by the custom of nations admit of a peaceful accommodation, or of any negociation for that purpose. If a gentleman should be caned in the open street, and should, instead of making a proper return, send a clergyman next morning to the aggressor, to beg that the affair might be made up in an amicable way, the oppressor might, perhaps, look upon his patient as a good Christian, but I am sure he would not look upon him as a gentleman, or a man of courage; and therefore he would probably offer no other satisfaction, but such a one as no man of honour could accept of, or, perhaps, and most probably too, he would bully and say, the fellow deserved what he met with. A man of true honour, upon meeting with such an affront, would immediately take his own satisfaction, and that, too, with the very first opportunity.

In public life and in national affairs the case is the same. There are some affronts that may be put by one nation upon another, which ought to be immediately resented in a hostile manner. All attacks or insults ought to be resented in such a manner, when it appears evident that it was done by public authority. When an insult is committed by the subjects of any nation, without an apparent commission, or other authority under Government, the injured nation may send Ambassadors to demand satisfaction; and ought not to resent the injury in a hostile manner till the other nation has made the act
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its own, or has taken the guilt upon itself, by denying or unreasonably delaying to punish or give up the offenders. But when the insult or attack appears, from the very nature of it, to have been committed by public authority, satisfaction ought not to be sued for by Ambassadors ; it ought to be immediately taken by fleets and armies, properly instructed for that purpose.

Sir W. Wyndham, March 30, 1738.

My Lords, as the motion the noble Lord has been pleased to make is pretty long, I cannot pretend to remember exactly the words ; and as, upon hearing it read, I observed some words which to me seemed not quite so right, I must desire the favour to have the motion in my hand. [The motion being delivered to him, after perusing it, he went on thus:] My Lords, as this is one of the greatest, one of the most important conjunctures that ever happened to this nation, I desire and wish as heartily as the noble Lord who made you this motion, or any Lord can do, that we may be unanimous in the resolution we come to upon this occasion. The greatest part of the noble Lord's motion I highly approve of. There are only a few words towards the latter end which I think ought to have been left out ; and as they are, in my opinion, quite unnecessary, I hope the noble Lord will, for the sake of that unanimity he so much desires, agree to leave them out of his motion. The words I mean are, "that it gives us inexpressible concern," with the following, which make the last paragraph but one of the noble Lord's motion. These words, I humbly think, my Lords, are quite unnecessary ; and, as they may give offence to some Lords, and may occasion an opposition to a resolution, which would otherwise be unanimously agreed to, I hope the noble Lord will not insist upon their standing a part of his motion. But I offer this as my opinion only. I do not make it my motion, because I am resolved to wait till I hear what may be said by other Lords upon this head.

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My Lords, we have now weathered the point of negotiation, and are fairly launched out in the open sea of a declared war: God grant we may meet with a prosperous gale! We have human probability on our side, and as we have justice likewise on our side, we have reason to expect the favour of Providence; therefore I have no doubt of a successful voyage, if we take care to put ourselves under the direction of good pilots. Ministers and negotiators will not, I hope, I am sure they ought not, now be our advisers. We have good Generals; we have brave and experienced Admirals: we must now chuse them for our pilots; we must take their advice; and, if their advice be taken, and vigorously pursued, I shall not hereafter find fault with events, on account of any cross accidents we may meet with in the prosecution of the war. Providence can only direct events: but men can plan; and if the plan be good, if the scheme be well laid, no man ought to find fault with the event. But, if the forming of our schemes for the prosecution of the war be left to ignorant and pusillanimous counsellors, we cannot expect they should be right; and a wrong scheme may be found fault with, even though the event should, by an extraordinary interposition of Providence, prove successful.

In the prosecution of the present war, I hope every man will, in his proper sphere, contribute as much as he can towards the success of his country. My Lords, I am persuaded every man will; because no war was ever entered into with greater unanimity amongst all ranks and degrees of men. We cannot, therefore, justly say any thing, upon this occasion, of animosities and divisions. If there were ever any animosities or divisions amongst us, they were occasioned by our tamely submitting to so many foreign insults. These His Majesty's declaration of war has put an end to, and nothing can revive them but a slackness in the prosecution. For this reason I wish they had not been mentioned upon this occasion. I am afraid it is ominous. It looks as if some people were sus-
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picious that the war will not be pushed in such a vigorous manner as a people greatly injured, and justly enraged, may have reason to expect. If this be the case, they have good reason to warn us against animosities and divisions; but their warnings will be in vain. Our former divisions will revive, and our animosities may increase to such a degree, as to endanger the tranquillity of the nation, unless they be appeased by a sacrifice of those who were the cause of their being revived.

For this reason, I say, my Lords, I wish I had heard nothing of animosities and divisions upon this occasion, and I am surpris'd how any such thing could creep into His Majesty's speech. In a free country, such as this, Lords or Gentlemen may differ in their opinions about public measures; and, as the interest of their country is concerned, they may, they ought to support their opinions with fervency and zeal: but that difference in opinion is not to be called a division; nor is that fervency to be called animosity. Something of our divisions and animosities was, I remember, mentioned in a piece that was handed about as the manifesto of Spain. This I was no way surpris'd at; because in Spain they can have no difference in opinion about public measures; at least, if they have, they dare as little declare it, as they dare declare their difference of opinion about matters of faith or religion; therefore they might, probably, mistake the one for the other, by supposing that to be a division amongst us, which was really nothing but a difference in opinion. But I hope His Majesty's Ministers are better acquainted with the constitution of their country, than to fall into any such mistake; and they should particularly upon this occasion have avoided saying any thing about divisions or animosities, because it will confirm the Spaniards in the mistake they are in, and may, as the noble Lord apprehends, encourage them to continue the war, in hopes that they may be able to reap some advantage from our divisions.

From hence your Lordships must see, that no such thing ought to have been mentioned in His Majesty's speech from
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the throne, and much less, I am sure, ought it to be mentioned in our address. If His Majesty's Ministers have fallen into a mistake, and a mistake, too, that may be attended with such a bad consequence as that of prolonging the war, shall we, in our address, out of pure complaisance, echo that mistake back to the throne, and thereby render infallible the bad consequence which we might otherwise have prevented? Shall we, my Lords, be so uncharitable as to think, and much less to say, that all those who differ from us in opinion about public measures, are promoters of divisions, and fomenters of heats and animosities? It is impossible that any Lord should expect an unanimous concurrence in such expressions. They are expressions that can be properly made use of by none but the arbitrary Ministers of an absolute Monarch, and therefore I was not a little surprised at seeing any thing like them in His Majesty's speech from the throne; but I was much more surprised to find the obstinacy of the Spaniards imputed to the heats and animosities that have been fomented amongst us. It is a maxim of this House, to look upon His Majesty's speech from the throne as the speech of his Ministers; and nothing can contribute more to shew the justness of this maxim, than that of imputing the obstinacy of the Spaniards to any heats or animosities that have been fomented amongst us.

Almost every man in the nation, I believe, is now convinced, at least, every man that thinks at all about public affairs must be convinced, that the strange obstinacy of the Spaniards has all along proceeded from the passivity of our Ministers. We submitted tamely to the first insult they put upon us; that encouraged them to put a second: we bore the second with patience; that encouraged them to put a third: upon the third, we modestly complained, and humbly prayed to negotiate; that encouraged them to put a fourth: and thus we continued submitting and negotiating, and they continued plundering and insulting, till at last, I really believe, they began to think that no sort of treatment could provoke us to com-

commence hostilities, or declare war against them. Thus, by the tame and submissive temper of our Ministers, the Spaniards have been encouraged to hold out such a conduct towards us, as to make it necessary even for our Ministers to have recourse to arms; and now those very Ministers, in order to remove the load off their own shoulders, come and tell us, that those who complained of their submissive conduct, and often told them what it would end in, were fomenters of heats and animosities; and that those heats and animosities were the chief cause of that obstinacy which Spain had shewed in her conduct towards us.

I shall readily grant, my Lords, that the just complaints of our plundered merchants, and the regard shewn to those complaints by the whole nation, excepting a very few persons, were the immediate cause of the war, because they forced our Ministers to alter their conduct: but, I hope, neither the complaints of the merchants, nor the regard shewn to them by the people, are to be called heats and animosities; and call them by what names you will, they were not the cause, but the effect of that obstinacy in Spain, in the tameness of which alone we are to seek for the original cause of the present war: for if our Ministers had resented as they ought the first injury done to our merchants by the Spaniards, it would have prevented a second; and, for the first, we might by reprisals, if not by fair means, have obtained redress, without coming to an open rupture; or if we had then come to an open rupture, we should have prevented a very great prejudice the nation has suffered by an interruption of its trade, and many considerable losses our merchants have sustained by the plundering and seizing their ships; and I believe no man will say, we had not then as favourable an opportunity for engaging in a war against Spain as we have at present.

Having thus, my Lords, shewn what it really was that encouraged the Spaniards to provoke us to war, I must observe, that if they still continue obstinate, it will, I believe, be owing

ing to the same cause. They are sensible of the superiority of our naval force, which, at the same time that it enables us to hurt them in the most sensible part, may prevent their being able to hurt us in any; and they can have no hopes to reap any advantage from those divisions and animosities, which, if there were any amongst us, His Majesty has put a final end to by declaring war against them.

Lord Carteret, Nov. 15, 1739.

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THE honourable gentleman who spoke last, (Mr. Will. Pulteney) ended his speech with saying, that he would not willingly cast the first stone; but it seems he had then forgot what he had said but a very little before; by which, if he did not sling a stone, he, at least, in my opinion, threw a very great pebble at the whole House. After having told us, that it was allowable to say any thing against what was done by the majority of this House, he said, "That there were, notwithstanding, some methods of speaking, which were not against order, and by which gentlemen might be made to feel, that an answer might be given to what the majority had thought unanswerable." Then he talked of scandalous things having been done in former Parliaments by a corrupt majority. Now, I would be glad to know how this House can feel any thing that is said of former Parliaments, unless it be meant, that the present Parliament is of the same nature with the former

mer Parliaments talked of. This, Sir, as I have said, seems to be a very great pebble thrown at the whole House; besides the dirt he had before flung at the supposed author of a pamphlet just published, whom he took care to describe so particularly, that I believe every gentleman thinks the author, or, at least, the supposed author of that pamphlet, is now speaking to you: but I can freely declare, that I am not the author of it; I have, indeed, read it; and I believe the greatest quarrel that gentleman and his friends have with it, is, that they do not know how to answer it.

Mr. Horatio Walpole, Jan. 23, 1734.

Those who call themselves Whigs, are, indeed, the only persons who can with any confidence argue against a standing army; for if any noted Tory, or suspected Jacobite, should argue against our keeping up a few regular troops by authority of Parliament, it would be easy to answer him. Every man would compare him to the fat man, who muttered and complained against the crowd, which he himself was the principal cause of.

Sir J. Sanderson, Jan. 28, 1738.

The secession, as it is called, which happened upon a very remarkable occasion last session, is a point that cannot be reasoned upon here, and therefore I shall make no application of what I am going to say. I have heard, Sir, of physicians taking their leave of a sick house, when they thought they could do no good there, and were not over-speedy of fees; for some are so keen after fees, that they would stay and prescribe to a dead body: but I have heard of others, of a more generous character, refusing to continue their attendance, when they feared it was of no benefit, and yet returning again upon being called to a new consultation, when better symptoms appeared,
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and greater hopes of a recovery, to offer, at least, the proper remedy, whether it should be taken or not.

George Lyttelton, Esq. Dec. 18, 1739.

The honourable gentleman who spoke last (Sir Robert Walpole) has told us, that questions in politics *admit of no demonstration*. In this I am entirely of his opinion; and, I think, this opinion was never more strongly confirmed than by the debate of this day. There never was a question in this House that could be brought nearer to a demonstration than the question now before us; and yet, I find, it is not possible to convince those that may be affected by its being agreed to. It has hitherto been reckoned a maxim in law, which I never before heard disputed, that parties ought not to be judges: but now I find this maxim defied; and, indeed, it must be so, by every gentleman that says our constitution can never suffer by a majority of placemen in this House: for that placemen and officers of all kinds must be parties concerned in many cases which we, as Members of this House, must judge of, is so clear, that I should have been ashamed to have given you the trouble of proving it, if I had not heard the motion now before you so warmly opposed.

Sir W. Wyndham, Dec. 18, 1739.

In King William's time, there was a famous Member of this House, whom you have all heard of, John How by name, who having been refused something which he had not, or, at least, which that wise Prince thought he had not any title to ask, took it into his head to set up for a patriot, and to become a violent opposer of the Administration. From that time this gentleman's continual cry was, "Our liberties are in danger! our constitution is to be overturned!" and with such exclamations he was always endeavouring, by his pretended fears, to raise apprehensions in the minds of some of the weak men in that age. Argument signified nothing; he still went on harp-

ing upon the same string : but at last he was silenced by a story told the House by Sir Thomas Lyttelton, which was thus — “ A gentleman of my acquaintance,” says Sir Thomas, “ was lately travelling in a coach with two ladies who were sisters : one sat very quiet, and without being in the least disturbed, but the other was upon every little jolt in a fright, and always crying out, ‘ O Lord, Sir, we shall be overturned ! For God’s sake, tell the coachman to drive softly !’ ‘ What’s the matter, Madam ?’ says the gentleman — ‘ why are you in such a fright ? We have a fine easy coach, a plain good road, and a careful, cautious coachman : there is not the least danger.’ — But all signified nothing — the lady continued as before. At last the gentleman asks the lady, ‘ What ails your sister, Madam ? Is she usually of such a fearful temper ?’ — To which the other answered, ‘ Do not mind her, Sir. My sister is really in no fright ; only she thinks she has a very pretty voice, and therefore takes great delight in hearing herself speak.’ ”

This story, Sir, put the zealous patriot so much out of countenance, that he became quite silent, so that the House for some days heard no more of the danger of our liberties ; and I hope it will now have the same effect as it had at that time : for during his present Majesty’s reign, I am sure we shall have no occasion for being put in mind of our liberties, or for being warned of their being exposed to danger ; and if ever they should, in any future reign, I hope this House will stand in need of no Common-cryer to put them in mind of their duty.

Hon. Horatio Walpole, May 4, 1749.

I rise up to thank the noble Lord in office (Lord North) for his extreme bounty in assuring us, that no hostile intentions are designed against the East-India Company, and that he wishes to make it a *great* and *glorious* Company (for those are his *pompous* expressions) and put it upon a permanent footing.

footing. Three Kings have entered an unfortunate kingdom with fire and sword, in order, I presume, to make it also a *great* and *glorious* kingdom, and secure to it its liberties and laws. They have published a manifesto to that purpose, which the noble Lord has, perhaps, just received; and he gives it you to-day, lest it might be stale to-morrow. But let us examine into this extraordinary matter. Here is a Committee appointed last year, a fair and open Committee, which have produced nothing. This was the lawful wife publicly avowed; but finding her *barren*, they have taken a neat, little, snug one, which they call a *Secret Committee*; and the resolution now moved to restrain the Company from sending out Supervisors, is her *firstborn*. Indeed, from the singular expedition of this extraordinary delivery, I am to think she was *pregnant* before wedlock. Yet, after all, what is the Report but a direct invasion of the Company's charter? It is, Sir, a bill to suspend a law of the land; it is neither more nor less; and we are, after distressing the Company, about to rob them of their charter, and overthrow their constitution. The noble Lord does well in saying, that he means to preserve the Company from ruin; but he should previously have told you, that their ruin was the immediate consequence of his blunders. In the year 1767, Administration plundered the Company of 400,000*l.*; and this I assert to have occasioned this distress. If we suffer this bill to pass, we shall, in fact, become the East-India Company, and you, Sir, will be seated in that chair, with a little hammer, by an inch of candle. The Treasury-bench will be the buyers, and on this side we shall be the sellers. The Senate will become an auction room, and the Speaker an auctioneer!—Shame upon such proceedings!—Here is an end to confidence and public faith.—Public faith! alas! that has long been given up; that has not been attended to for many years. However, I hope the House will be furnished with more substantial reasons than have yet appeared for invading the charter of that Company.

Mr. Burke, Dec. 7, 1772.

In one particular respecting the Dictator of ancient times, I beg to set right a very high law officer (Mr. Thurlow) among us. All the Roman magistrates were not, as he says, superseded by that creation; for the Tribunes of the People, preserved their authority even under a Dictator.

It has been said, Sir, by another gentleman, who is likewise in a great law office, (Mr. Wedderburne) that in this House a discontented party had ridiculously given into a tone of prophecy, which has never been accomplished, and that about a year ago it was the case of the right honourable gentleman who spoke lately under the gallery. It is not, I believe, very parliamentary to quote words spoken in a former debate: but if the learned gentleman's memory goes to a prophecy of one year, which has not been fulfilled, he will permit me a fair excursion to another prophecy of that very Member's, six years ago, which has been exactly verified. His prophecy in this House was, that if the same violent measures against the Americans were persisted in, the Colonies, which formed so great a strength to this kingdom in the reign of George the Second, would be dis severed from the British empire in the reign of George the Third. No prophecy, Sir, ever received a more perfect accomplishment. He wonderfully possesses the second sight of his native country. How deeply criminal he and others have been in bringing the prophecy to pass, I hope the House will one day inquire. A very extraordinary observation of the same gentleman, amidst a variety of heterogeneous matter, it is impossible for me not to mention. He has laughed at universal benevolence, and endeavoured to demonstrate the impossibility of its existence. But, Sir, he has only given us the narrow, contracted, selfish ideas of his own heart, and his own country. His sentiments and his feelings are confined to a very small, insignificant circle, indeed! They are merely clannish and Scottish. His remarks, I saw, excited a general indignation amongst us. An Englishman has ideas infinitely more liberal and enlarged.

His

His heart expands itself, and takes in the general good of all mankind. I will only add, Sir, that I think the most beautiful sentence of all antiquity is that which was received with such applause by the generous, free Roman people, and an English Senate I am sure will adopt, against every measure of oppression and cruelty, *Homo sum, humani nihil a me alienum puto.*

Mr. Wilkes, Feb. 17, 1777.

The most short-sighted of all animals is undoubtedly our country gentleman of the true *tory* breed. He has scarcely the sagacity of his pointer. Formerly he was very stubborn and restive, and could not be driven forward; now he is perfectly tame, fawns on his feeder, and is easily managed. Mr. Pitt first seized him, and, after some little struggling, plunged him over head and ears in the German war. The noble Lord (Lord North) has gone farther, and transported him, weary and exhausted, beyond the Atlantic, where he is likely to continue much longer than he was in Germany.

Mr. Wilkes, Nov. 26, 1778.

In answer to the charge of embezzlement brought by the honourable gentleman (Temple Luttrell) when I first heard it, I did not know it was laid at the door of the Treasury Board; but though those who embezzle the public money ought to be severely punished at all times, I am exceedingly happy to hear of the embezzlement in question, let who will be guilty, because 450,000*l.* just at present would be very useful to the public; and as the honourable gentleman has found, so unexpectedly, that such a sum has been embezzled, I doubt not it will be forthcoming; unfortunately, however, for the public, it now appears that there has been no embezzlement at all: but the honourable gentleman disavows any intention of clogging the wheels of Government. For my part I have never charged the honourable gentleman with any such design.

I commend him for the spirit of inquiry that has actuated him on the present occasion. He is doing only what he has a right to do; and so far am I from entertaining the most distant thoughts of the honourable gentleman's clogging the wheels of Government, that I am persuaded he no more clogs *them than the fly in the fable*, who, settling on the chariot wheel, thought she raised the dust with which she was surrounded; whereas, poor innocent thing, she fixed where she had a right to fix, and did not in the least incommode either the action of the wheels, or the quiet of the person who rode within side.

Lord North, Dec. 2, 1778.

With regard to the noble Lord's apt simile, it does him honour. His Lordship in this line of debate is known to be an original. Whenever the noble Lord finds himself closely pressed in argument, or fact, it is his known practice to get rid of the question by a joke! His manner is no less curious than his matter; when he was half a sleep, or seemingly quite asleep, he collected a store of wit and humour, from *Æsop* and *Phædrus*, and *Joe Miller*, or some other book equally distinguished for such species of drollery, and, instead of reasoning, is sure to treat the House with a laugh. As to his simile of the fly on the chariot wheel, if the noble Lord and his associates lived in another country, and had their deserts, they would long since have been put upon a proper wheel, such a wheel as the system and principles of the noble Lord's government, among other blessings inseparable from despotism, tended to introduce into Great Britain; I would therefore rather be the fly in the fable, than an object of ignominy and detestation upon the wheel of public vengeance.

Honourable Temple Luttrell, Dec. 2, 1778.

The noble Lord (Lord Mulgrave) has sneered at me from a book, called *Anticipation*, which no one admires more than I do. I possibly may not be so polished as a person who has sailed round

round the world, and touched where *bears* were the principal inhabitants, and whose *manners* the *circumnavigator* (Lord Mulgrave) seems to have copied with great success.

Honourable Temple Luttrell, Dec. 2, 1778.

The honourable gentleman (Mr. Courtenay) is accustomed to turn *every thing* into ridicule, and has introduced a stile of reasoning every way unsuitable to the gravity and importance of the subjects that come under discussion. If we cannot act with dignity, let us at least debate with decency. I will not attempt to answer the honourable gentleman's arguments, for it is impossible seriously to reply to what, in every part, has an infusion of ridicule in it. Two of the honourable gentleman's families, however, I must take notice of: the one is, his insinuation that *Opposition* is envious of those who bask in Court *sunshine*, and that they desire merely to get into their places. I beg leave to remind the honourable gentleman, that though the sun affords a genial warmth, it also occasions an intemperate heat that taints and infects every thing it reflects on; that this excessive heat tends to corrupt as well as to cherish, to putrify as well as to animate, to dry and souse up the juices of the body politic, and turn the whole into one mass of corruption. If those therefore who sit near me do not enjoy so genial a warmth as the honourable gentleman, and those who like him keep close to the noble Lord in the blue ribband, (Lord North), I am certain they breathe a purer air, an air less infected, and less corrupt. Another of the honourable gentleman's allusions is not quite a new one: he has talked a great deal of the machine of State, and of the *drag-chain* of Opposition. I would only observe upon this, that a drag-chain was never applied but when a machine is going down hill, and then it is applied wisely. As to any thing else the honourable gentleman has said, I shall not offer a reply, but shall sit down with

with assuring the honourable gentleman, that the most *serious* part of his argument appears to me to be the most *ludicrous*.

Mr. Sheridan, Feb. 26, 1781.

It is a fixed principle in optics, that all objects strike the eye of the beholder differently according to the medium or light through which they are viewed. This maxim is fully verified by an experiment made in April last, by only moving the right honourable Secretary (Mr. Fox) from the side of the House on which I now stand to the other. Placed where he now is, he views the bill in his hand as calculated to “remedy all those alarming disorders which have long prevailed, and still continue in the management of the territorial possessions, revenues, and commerce of these kingdoms in the East Indies,” &c.

But had such a bill been brought in by Administration when the right honourable gentleman sat on the other side of the House, it would have appeared to him in very different colours indeed. I doubt not but the right honourable gentleman would have viewed it again and again through two glasses which he constantly carries about with him. I mean his magnifying glass, and his multiplying glass.

In the former, his magnifying glass, it would have appeared big with the most alarming danger of increasing Crown influence, and of extending ministerial power; which things are always considered as the buggyboos and rawhead and bloody-bones, with which the right honourable Secretary used to terrify his present *caro sposa* (Lord North) before those two persons were joined together in holy matrimony.

But I mean not here to speak against the coalition, or to say any thing personal, as I hope His Majesty's present Ministers will propose such measures as I shall be able to coalesce with.

In the latter, his multiplying glass, all the evils which the bill now tended to prevent, with 20,000 more of rapine, injustice.

tice, cruelty, violation of rights and charters, weakening of parliamentary faith, &c. would all have danced before his eyes at once.

What is the cause of this difference, since the man viewing, and the object viewed, are identically the same? It is plainly owing to some strong rays of a side light that darts from the East, and perhaps a little horizontally from the North, upon the pupil of the right honourable Secretary's eye; so that, without having recourse to the solutions of a Newton, a Priestley, or a Franklin, we may affirm, that it is certainly that same North-east light which had such a powerful effect upon the seeing, or to speak more philosophically, on the vivive faculties of the right honourable Secretary. But the right honourable framer of the bill is never without either of the glasses I have mentioned; though, as I observed, things appear very different to him, according to the medium through which he looks, and whether the particles of matter of which he is composed are placed on that side of the House or the other.

Seated on that illustrious bench, on which the sun always shines, when he views the bill through his magnifying glass, in the first place, it much aggrandizes himself, and all his influence as a Minister of State, insomuch that he looks as if he really could carry the India House on his back, as a print just published humorously represents him to be doing.

Secondly, it aggrandizes the seven Commissioners, or holy Emperors, and their eight assistant Directors.

Thirdly, it aggrandizes needy adherents, and raises them from Lilliputians to Brobdignagians and Patagonians.

As to the right honourable gentleman's multiplying glass, as he at present holds it up to look at the bill, in the first place, it greatly multiplies friends and jobbers, who will stick to him at every pinch—Over shoes, over boots. Secondly, it multiplies all his various interests, all his connections, all his powers, not only at home in this country, but by sea and land, and all

over the globe. But when I say that it multiplies all his powers, I must except his intellectual powers and the powers of his eloquence, as I really think these cannot be magnified or multiplied.

Thirdly, which is by far the best of all its multiplying powers, it multiplies the rupees and the guineas, if not to the nation, yet to the happy favourites who are to taste the sweets of the bill for five whole years to come.

And now leaving optics, I would make an easy transition (at least I would make a transition, whether an easy one or not,) from allegory to the bill itself, the particular parts and clauses of which I shall leave to be discussed by those who are much more equal to so great a work than I am.

I shall therefore only observe, with regard to the principle and spirit of the bill in general, that they appear to me so exceedingly opposite to the whole genius of the Constitution, and to those benign laws by which it is supported, that the Directors are hardly allowed the privileges which in courts of judicature are granted to felons; for in cases of felony, seizure and confiscation never take place till after conviction; whereas, in the present instance, the parties are not even accused of any specific crime.

But should the bill pass the House, (the House I hope will pardon the supposition,) it must afford much satisfaction indeed to those who are nearly interested in it, especially to the body of petitioning Directors, that they have a powerful friend in the other House to plead their cause, and to support their rights; I mean the noble protesting Duke at the head of the Treasury Board, who, when the East-India regulating bill was brought in, just ten years ago, (which bill did not go near so far as the present,) testified his hearty dissent from it in the following strong terms:

1. "Because it was not only an high and dangerous violation of the yet unquestioned charter of the Company, but a total

tal subversion of all the principles of the law, and constitution of this country.

2. "Because the election of executive officers in Parliament is plainly unconstitutional, productive of intrigue and faction, and calculated for extending a corrupt influence in the Crown. It frees Ministers from responsibility, whilst it leaves them all the effect of patronage."

Thus protested the noble Duke; and I doubt not but he will be as steady in his principles till death, as the much-lamented Marquis, who joined with him in the protest.

I remember that the right honourable Secretary asserted, when this bill was read the first time, that charges of speculation were withheld, because money was sent over to the Directors, which stopped their mouths, and prevented their complaints. I doubt not but the right honourable gentleman himself felt what he said, when he asserted this, and that the same right honourable gentleman knows full well that money has, indeed, a wonderful power of stopping mouths, and of changing men's language, and even their connections; yea, that it outdoes what the poet said of music, that it has

—— charms to sooth the savage breast,
To soften rocks, or bend the knotted oak.

But how far it has been done in the case before us, remains yet to be proved.

Before I sit down I must observe, that it ought to have much weight, that the first commercial city in the world has expressed a disapprobation of this bill, by determining in Common Council to petition the House against it. And I must add, that I am happy to see so full an attendance upon a question of such vast consequence, and that notwithstanding the right honourable Secretary, most unhandsomely in my opinion, refused to put off the second reading of the bill till the day of the call; though, by way of apology for that refusal, an honourable

nourable friend of his, and a great ornament to his profession, asked, in a maiden speech, how it was possible for the gentlemen who were to be summoned to attend the call, to make themselves masters of this important business whilst they were coming up post upon the road? I wish always to learn wisdom from the arguments of my honourable friend, as every body must who attends to him. I will beg to ask in return, what profound knowledge of this bill are those gentlemen likely to enter the House with, who have been roused out of their beds at one, two, or three o'clock in the morning, by the arrival of ministerial messengers, with mandates to mount them up to town with the celerity of air balloons, in order that they may be in time enough for the division this evening? What is to inform and determine the judgement of those gentlemen on this arduous occasion? Why they are to look at the Treasury Bench, to cast their eyes round the House to see who says aye and who says no, who goes out and who stays in; and upon these merits are to depend the annihilation of an ancient charter, the characters of many respectable individuals, and the seizure of goods and property. In short, the fate of Cesar and of Rome.

Sir Richard Hill, Nov. 27, 1783.

An honourable gentleman (Mr. Alderman Watson) has said, that his constituents, the citizens of London, have no objection to any tax for preventing smuggling, as *they* are not *smugglers*. I have a great satisfaction at hearing this from such good authority, as the city of London has formerly (though it seems it has now reformed) laid under such an invidious imputation. It has even for a century past been so much the prevalent opinion, as to induce a comic writer, who thought it expedient to introduce an *Alderman* on the stage, to dub him with the appellation of *Alderman Smuggler*!

Mr. Courtenay, Aug. 10, 1784.

The honourable gentleman who spoke last (Mr. Courtenay) will please to remember, that if one *comic* writer has introduced *Alderman Suggler* to the stage, another *comic* writer has exhibited a *Copper Captain*!

Mr. Alderman Watson, Aug. 10, 1784.

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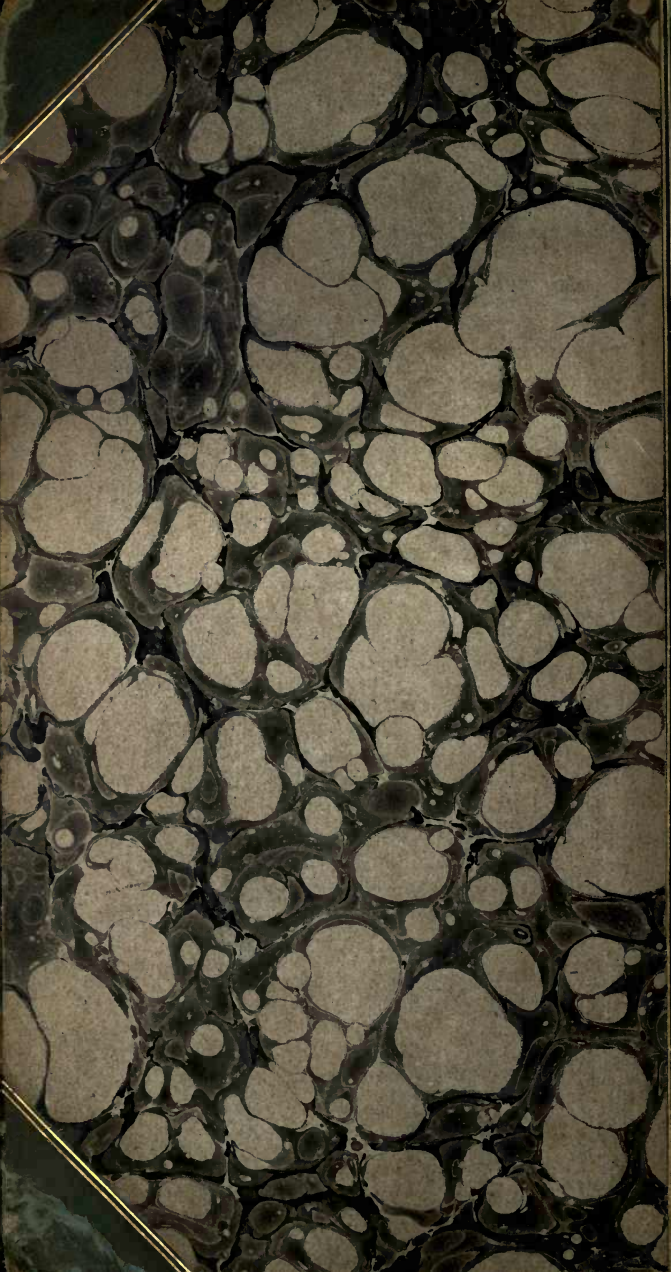
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